



Engineering & Design

2024 Master Plan & Development Regulations Reexamination

Borough of Woodland Park

September 16, 2024

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Borough of Woodland Park

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Passaic County, New Jersey

September 16, 2024

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Project No. WDB-0005

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.

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I. Introduction

The Borough of Woodland Park is located in southern Passaic County and encompasses roughly 3.1 square miles. Woodland Park is a primarily residential community including single- and two-family dwellings, townhomes, and multi-family dwellings. Commercial, industrial, and other non-residential uses are located along McBride Avenue (County Route 639), the western end of Lackawanna Avenue (County Route 632), and Browertown Road (County Route 635). The Borough also has an office park along Squirrelwood Road (County Route 636), which is commonly known as “Garret Mountain Plaza” and is home to Berkely College’s Garret Mountain Campus on Squirrelwood Road. Other non-residential pockets are scattered throughout the Borough such as at the intersection of Rifle Camp Road and Overmount Avenue. The east side of Woodland Park is primarily parkland including Rifle Camp Park and Garret Mountain Reservation, which provide scenic views of the New York City skyline.

In addition to the County Roads noted above, the Borough has access to Route 46 at Notch Road and Lower Notch Road, Browertown Road, and McBride Avenue. Route 46 is located just south of the municipal boundary in the Township of Little Falls and is generally parallel to the Borough’s southern border. Interstate 80 cuts across the northwestern corner of the Borough with Exit 56/56B connecting interstate travelers to Squirrelwood Road. The map on page 3 illustrates the locations of the major roadways within the Borough. Woodland Park does not have any direct New Jersey Transit rail service. However, there are four train stations in adjacent communities, including the Cities of Clifton and Paterson, which are part of the Main Line, and the Township of Little Falls, including a station at the Montclair State University campus, which are part of the Montclair-Boonton Line. Additionally, New Jersey Transit operates bus route 704 (Paterson – Willowbrook Mall), which has stops along McBride Avenue and Browertown Road.

The Borough of Woodland Park is adjacent to the City of Paterson to the north, the City of Clifton to the east, the Township of Little Falls to the south, and the Borough of Totowa to the west. See the map on page 4 for Woodland Park’s general location.

The New Jersey Municipal Land Use Law, N.J.S.A. 40:55 D-1 et seq. (“MLUL”), stipulates that each municipality in the State of New Jersey shall reexamine its Master Plan and development regulations at least every ten years. Specifically, N.J.S.A. 40:55D-89 states:

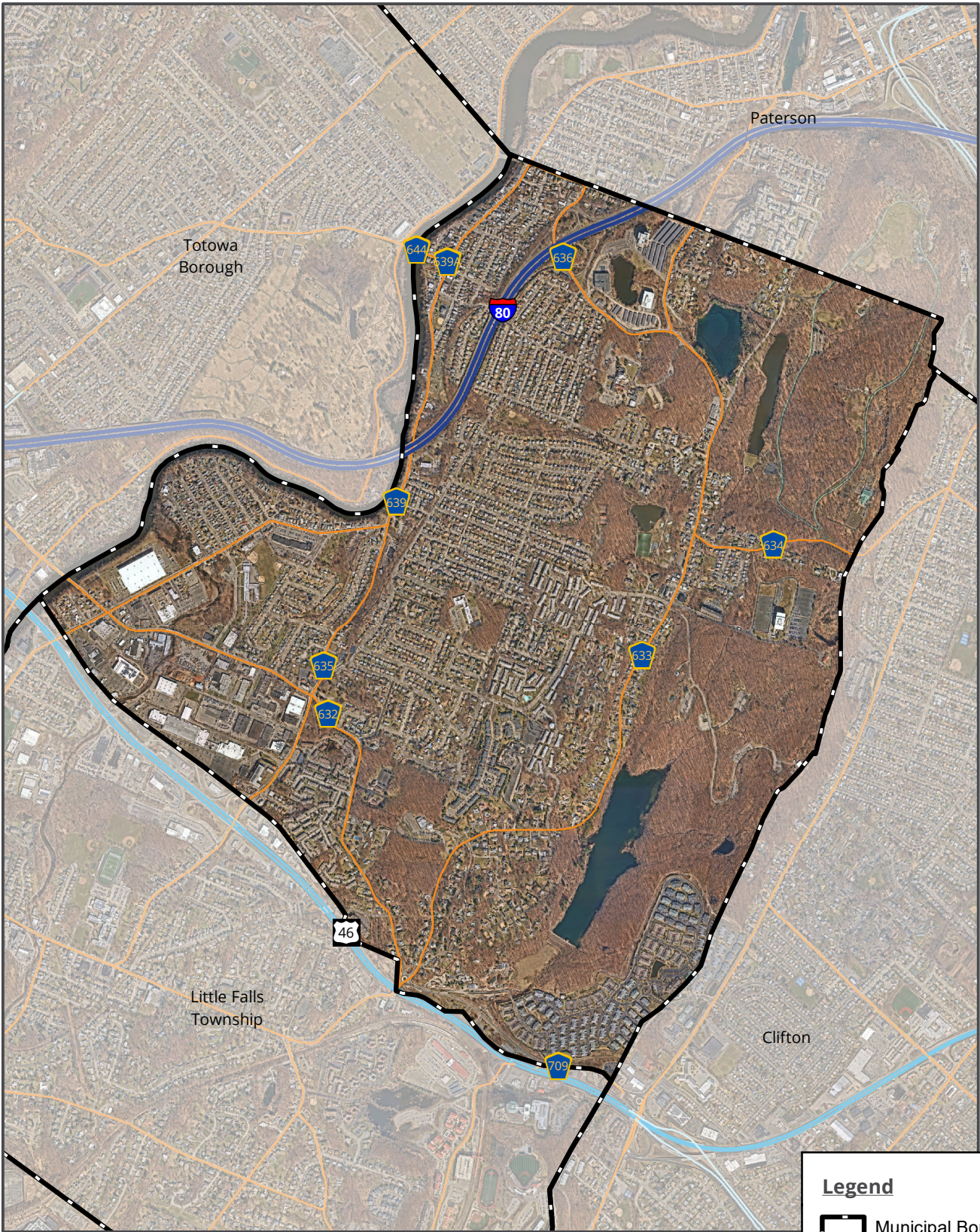
“The governing body shall, at least every ten years, provide for a general reexamination of its master plan and development regulations by the Planning Board, which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the Office of Planning Advocacy and to the County Planning Board. A notice that the report and resolution have been prepared shall be sent to any military facility commander who has registered with the municipality pursuant to section 1 of P.E.2005, c.41 (C.40:55D-12.4) and to the municipal clerk of each adjoining municipality, who may request a copy of the report and resolution on behalf of the military facility or municipality. A reexamination shall be completed at least once every 10 years from the previous reexamination.”

This reexamination of the Borough of Woodland Park’s master planning documents conforms to the requirements of the MLUL and addresses the requirements of N.J.S.A. 40:55D-89 by including the following:

- A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- C. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for such 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.
- D. 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 regulations should be prepared.
- E. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law”, P.L. 1992, c.79 (C.40A:12A-1 et seq.) 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.
- F. The recommendations of the Planning Board 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.

A review of Woodland Park’s master planning documents reveals that the Borough adopted its Master Plan in 1979 and a revision to the Master Plan was completed in 1994. Then in 2012 a new Master Plan (“[2012 Master Plan](#)”) was adopted. Master Plan Reexamination reports were issued in 2003 and most recently in 2009 in a document entitled [2009 Master Plan Reexamination](#) (“[2009 Reexamination](#)”), which was adopted on August 10, 2009.

The following chapters of the report cover the six required components of the MLUL.



R:\A\Offices\Holmdel, NJ\GIS\PROJECTS\Municipal\NU-Z\WDB\WDB0005\240501apb_Borough_Major_Roadways.mxd

Legend

 Municipal Boundary

0 2,000 4,000
Feet

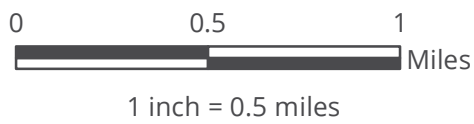
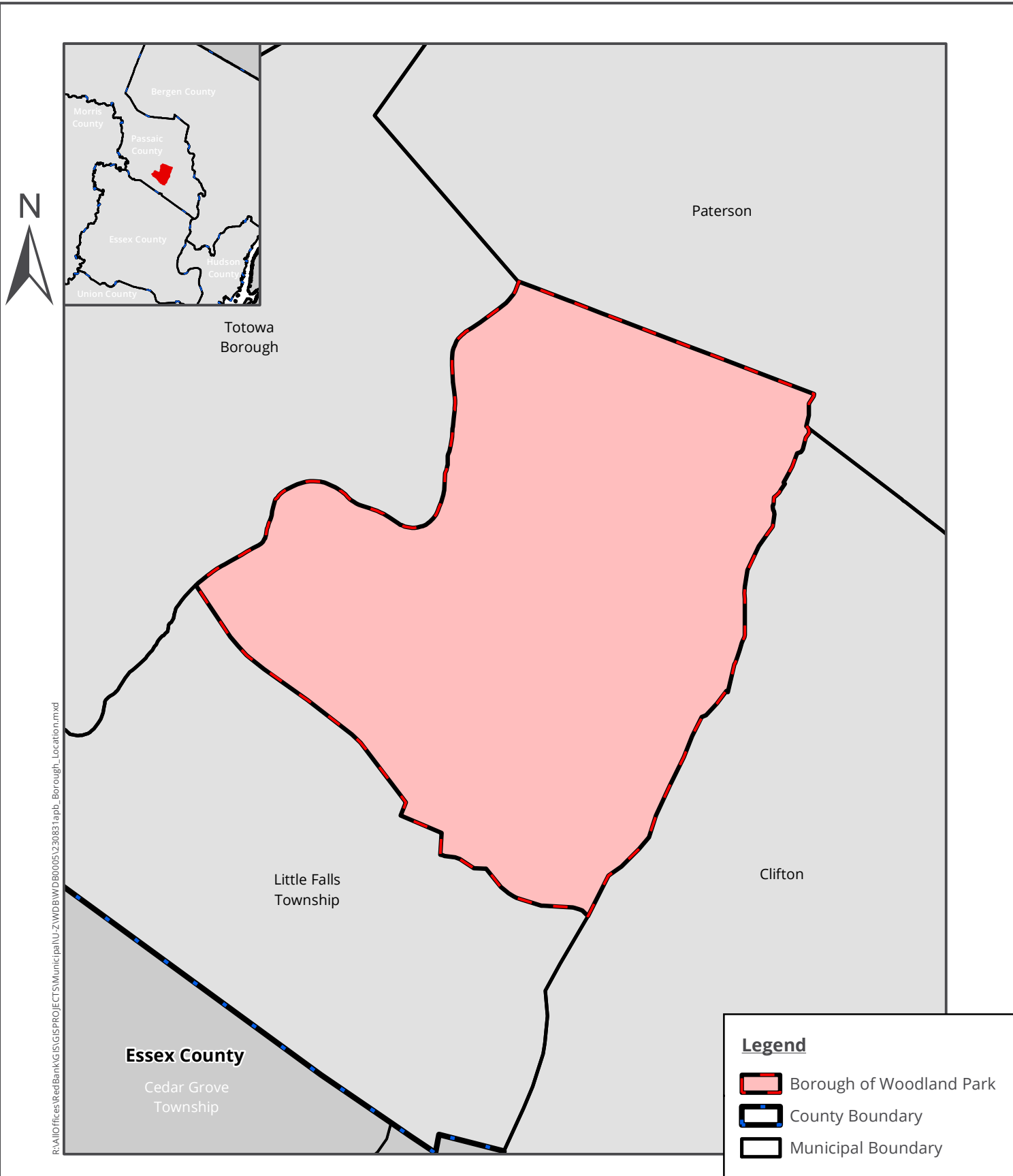
1 inch = 2,000 feet

Major Roadways

Borough of Woodland Park
Passaic County, New Jersey



May 2024



Regional Location
 Borough of Woodland Park
 Passaic County, New Jersey



September 2023

II. Problems & Objectives Related to the 2009 Reexamination

This chapter of the 2024 Master Plan & Development Regulations Reexamination (“2024 Reexamination”) report examines the major problems and objectives outlined in the 2009 Reexamination. Section D of the 2009 document provides 16 recommended changes to the Borough’s Zoning Ordinance, which were included in the 2003 Reexamination. These recommendations are listed below:

1. Throughout the Zoning Ordinance, accessory structures are regulated at a minimum setback of three (3) feet from a property line. This minimum setback should be increased to five (5) feet throughout the Zoning Ordinance.
2. Regulations regarding setbacks should be streamlined. For example, §35-5.2c of the Zoning Ordinance contains a very long paragraph discussing front yard setback for the Residence “A” district. This paragraph is confusing. An example of a suggested correction would be: Front Yard Setbacks shall be the equivalent of the average of the front yard setbacks of the adjacent 2 properties. In the case of vacant adjacent properties, the setback shall be 35’.
3. Lot coverage requirements should be imposed on all districts. Currently, some districts have lot coverage requirements, while others do not. This requirement is important to enforce, as the lack thereof may result in overdevelopment of sites. This should be of paramount concern to the Borough, since much of the land located within the Borough is environmentally sensitive.
4. “Private garages and outbuildings” described in the Ordinance should be changed to “Accessory structures.”
5. Those districts without lot width, lot frontage, lot depth, or height requirements should be analyzed and these regulations determined for each respective district.
6. All yard setbacks for both single family and two-family homes should be the same. The minimum required lot area for two-family homes should be greater than single-family homes in districts where two-family homes are permitted.
7. All of the definitions in the Zoning Ordinance should be placed in one definitions section at the front of the Ordinance, rather than placed sporadically throughout the document, for ease of reference for the reader.
8. The Borough should consider changing its parking space dimension requirements for residential properties from 10’ x 20’ to 9’ x 18’, as this is the Residential Site Improvement Standard, and therefore applicable to all residential properties.
9. The Zoning Ordinance should be revised to include regulations for licensed day care centers, and family day care homes, as defined under N.J.S.A. Licensed day care centers are permitted in any non-residential zone, as per N.J.S.A. C.40:55D-66.6. Family day care homes are a permitted use in all residential districts, as per N.J.S.A. C.40:55D-66.5b. Guidelines should be included in the Zoning Ordinance to regulate associated impacts of child care centers, especially in terms of parking.

10. It should be clarified under the Neighborhood Commercial District whether residential uses are permitted. Residential uses are not specifically permitted under the permitted buildings, structures, and uses section, however, under the side yard requirement, it states that “buildings to be used solely for dwelling purposes, side yards shall be the same as required in Residence “C” districts.” It is our opinion that residential uses should be permitted as a conditional use in neighborhood commercial district. The conditions by which these uses will be allowed should be further investigated.
11. Shopping Center Regulations should not have a heading as if it were a district in and of itself, but rather be subsumed under the Highway Commercial District and considered a conditional use since it has its own regulations in the current zoning ordinance.
12. Under the Shopping Center Regulations, all apparel should be a permitted use, not just women’s and children’s apparel.
13. Residential uses should not be a permitted use in Shopping Centers. Although residential uses are not explicitly permitted in shopping centers, a reference is made to residential uses under the side yard requirement for shopping centers. This statement should be eliminated from this section.
14. The filing fees required throughout the zoning ordinance should be reviewed and revised, as they have not changed since 1994.
15. The parking standards section should be reviewed to revise out-of-date standards as well as include uses not specified and their respective modern-day parking standards.
16. The Borough’s Neighborhood Commercial District should be studied to determine whether changes should be made to the zoning for the area and if other planning efforts should be undertaken focusing on the McBride Avenue corridor. Particular attention should be paid to signage, parking and use requirements as well as the provision of additional landscaping and pedestrian amenities in the CBD.

Additionally, the 2009 Reexamination states the following:

Based on extensive changes in state regulations, changes in the land use pattern of Woodland Park, a 30 year old Comprehensive Master Plan and outdated zoning, it is recommended that a new Comprehensive Master Plan be prepared to address past changes and adequately address future development in the Borough.

III. Extent that Problems & Objectives Have Changed Since 2009

This chapter of the [2024 Reexamination](#) looks at the extent to which problems and objectives have been reduced or increased since 2009. The 17 issues listed in Chapter II are summarized below, along with a 2024 status evaluation.

1. Throughout the Zoning Ordinance, accessory structures are regulated at a minimum setback of three (3) feet from a property line. This minimum setback should be increased to five (5) feet throughout the Zoning Ordinance.

Current Status: In response to the recommendations provided in the Land Use Plan Element of the [Woodland Park 2012 Master Plan](#), the Mayor and Council adopted Ordinance No. 17-02 on February 15, 2017, which amended a majority of the Borough's Zoning Ordinance. This Ordinance added Section 22-23 entitled "Supplemental Use Regulations", which includes accessory building setback requirements in many of the Borough's Zones. **This task has been completed.**

2. Regulations regarding setbacks should be streamlined. For example, §35-5.2c of the Zoning Ordinance contains a very long paragraph discussing front yard setback for the Residence "A" district. This paragraph is confusing. An example of a suggested correction would be: Front Yard Setbacks shall be the equivalent of the average of the front yard setbacks of the adjacent 2 properties. In the case of vacant adjacent properties, the setback shall be 35'.

Current Status: Ordinance No. 17-02 revamped the Borough's Zoning Ordinance and created Section 22-4.5 entitled "Schedule of Bulk Zoning Requirements", which specifies the area, yard, and bulk requirements for the Borough's Districts. Additionally, "Front Yard" was defined as the "space between the building line or front main wall of the building and the front property line." **This task has been completed.**

3. Lot coverage requirements should be imposed on all districts. Currently, some districts have lot coverage requirements, while others do not. This requirement is important to enforce, as the lack thereof may result in overdevelopment of sites. This should be of paramount concern to the Borough, since much of the land located within the Borough is environmentally sensitive.

Current Status: As noted above, the Schedule of Bulk Zoning requirements was added via Ordinance No. 17-02, which regulates building and lot coverage within each District. **This task has been completed.**

4. "Private garages and outbuildings" described in the Ordinance should be changed to "Accessory structures."

Current Status: Ordinance No. 17-02 defined "Accessory Building", "Accessory Structure", and "Accessory Use" to clearly indicate buildings, structures, and uses customarily incidental to the principal use are accessory, such as a garage for a single-family dwelling. **This task has been completed.**

5. Those districts without lot width, lot frontage, lot depth, or height requirements should be analyzed and these regulations determined for each respective district.

Current Status: The Schedule of Bulk Zoning requirements was added via Ordinance No. 17-02, which includes a maximum height requirement for each District. Minimum lot width, lot frontage, and lot depth requirements are provided for some Districts. However, others are noted as “Not Applicable”. Since the recommendation was for the requirements to be “analyzed”, it appears no requirement was necessary for certain Districts. **This task has been completed.**

6. All yard setbacks for both single family and two-family homes should be the same. The minimum required lot area for two-family homes should be greater than single-family homes in districts where two-family homes are permitted.

Current Status: The Schedule of Bulk Zoning requirements added via Ordinance No. 17-02 provides the yard setbacks and lot areas for each District, regardless of the property’s use or dwelling type. **This task has been completed.**

7. All of the definitions in the Zoning Ordinance should be placed in one definitions section at the front of the Ordinance, rather than placed sporadically throughout the document, for ease of reference for the reader.

Current Status: Ordinance No. 17-02 amended the existing definitions in Section 22-3 and added several new definitions to the section. **This task has been completed.**

8. The Borough should consider changing its parking space dimension requirements for residential properties from 10’ x 20’ to 9’ x 18’, as this is the Residential Site Improvement Standard, and therefore applicable to all residential properties.

Current Status: The Ordinance does not specify the required parking space dimension for residential properties. However, newly adopted Districts, such as the R-I District, requires nine-foot by 18-foot parking spaces. **This task has not been completed.**

9. The Zoning Ordinance should be revised to include regulations for licensed day care centers, and family day care homes, as defined under N.J.S.A. Licensed day care centers are permitted in any non-residential zone, as per N.J.S.A. C.40:55D-66.6. Family day care homes are a permitted use in all residential districts, as per N.J.S.A. C.40:55D-66.5b. Guidelines should be included in the Zoning Ordinance to regulate associated impacts of child care centers, especially in terms of parking.

Current Status: Ordinance No. 17-02 created Section 22-4.4, entitled “Schedule of Permitted Uses”. Child-care centers are listed as a permitted conditional use in the CBD District, as permitted accessory uses in the MO and HO Districts, and as a principal use in the NC District. However, it does not appear child-care centers are permitted in each of the Borough’s non-residential districts or that family day care homes are permitted in residential districts. **This task has been partially completed.**

10. It should be clarified under the Neighborhood Commercial District whether residential uses are permitted. Residential uses are not specifically permitted under the permitted buildings, structures, and uses section, however, under the side yard requirement, it states that “buildings to be used solely for dwelling purposes, side yards shall be the same as required in Residence “C” districts.” It is our opinion that residential uses should be permitted as a

conditional use in neighborhood commercial district. The conditions by which these uses will be allowed should be further investigated.

Current Status: Section 22-4.4 does not list residential uses as permitted principal or conditional uses in the NC District. **This task has not been completed.**

11. Shopping Center Regulations should not have a heading as if it were a district in and of itself, but rather be subsumed under the Highway Commercial District and considered a conditional use since it has its own regulations in the current zoning ordinance.

Current Status: Ordinance No. 17-02 deleted the Shopping Center Regulations (Section 22-28) in its entirety. **This task has been completed.**

12. Under the Shopping Center Regulations, all apparel should be a permitted use, not just women's and children's apparel.

Current Status: As noted above, these regulations were deleted via Ordinance No. 17-02. **This task has been completed.**

13. Residential uses should not be a permitted use in Shopping Centers. Although residential uses are not explicitly permitted in shopping centers, a reference is made to residential uses under the side yard requirement for shopping centers. This statement should be eliminated from this section.

Current Status: Shopping Center Regulations were deleted via Ordinance No. 17-02. **This task has been completed.**

14. The filing fees required throughout the zoning ordinance should be reviewed and revised, as they have not changed since 1994.

Current Status: Filing fees for subdivision and site plan applications were amended via Ordinance No. 19-02 on January 16, 2019. **This task has been completed.**

15. The parking standards section should be reviewed to revise out-of-date standards as well as include uses not specified and their respective modern-day parking standards.

Current Status: Ordinance No. 17-02 created Section 22-4.6 entitled "Schedule of Parking Requirements", which provides the minimum parking requirements for residential, restaurants, retail, office, and other uses permitted in the Borough. **This task has been completed.**

16. The Borough's Neighborhood Commercial District should be studied to determine whether changes should be made to the zoning for the area and if other planning efforts should be undertaken focusing on the McBride Avenue corridor. Particular attention should be paid to signage, parking and use requirements as well as the provision of additional landscaping and pedestrian amenities in the CBD.

Current Status: Ordinance No. 17-02 established the CBD Central Business District, which is located along a majority of the McBride Avenue corridor. The NC District is not located along McBride Avenue. **This task is no longer applicable.**

Additionally, the following recommendation was made in the 2009 Reexamination:

Based on extensive changes in state regulations, changes in the land use pattern of Woodland Park, a 30 year old Comprehensive Master Plan and outdated zoning, it is recommended that a new Comprehensive Master Plan be prepared to address past changes and adequately address future development in the Borough

Current Status: The Planning Board adopted a new comprehensive master plan entitled "Woodland Park 2012 Master Plan" on January 9, 2012, which included Land Use, Housing, Economic, Circulation, Utility Service, Community Facilities, Recreation Plan, Recycling Plan, and Sustainability Plan Elements. See page 32 in Section IV for a discussion of this document. **This task has been completed.**

IV. Changes in Policies & Objectives Forming the Basis of the 2009 Reexamination

The third step in the reexamination process, known as Section “c”, reviews 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 and changes in State, County, and municipal policies and objectives. Since the 2009 Reexamination, there have been several changes at the State, County, and Borough level that impact the policies and objectives that form the basis of the Master Plan. The remainder of this chapter is divided into four sections: demographic changes, State changes, County changes, and Borough changes.

Demographic Changes

The sections below show historic trends and the most recent data from the Census Bureau, including the 2020 Census and 2017 – 2021 American Community Survey (“2021 ACS”), and other data sources where noted.

Population Growth

Historic population information for the Borough of Woodland Park since 1940 is readily available. Between 1940 and 1970, there was an exponential increase in population within the Borough from 3,306 residents to 11,692 residents. This represents an increase of 8,386 residents or over 250%. However, the decades that followed saw a slight decline in population to 10,982 by 1990. The Borough’s population remained steady during the 1990s before beginning another growth period. Between 2000 and 2020, Woodland Park grew by almost 2,500 residents (22.7%). See the table below for additional details.

Population Growth

Year	Population	Change	Percent
1940	3,306	--	--
1950	3,931	625	18.9%
1960	7,602	3,671	93.4%
1970	11,692	4,090	53.8%
1980	11,293	-399	-3.4%
1990	10,982	-311	-2.8%
2000	10,987	5	0.0%
2010	11,819	832	7.6%
2020	13,484	1,665	14.1%

Source: 2010 & 2020 Census table P1 and <https://www.nj.gov/labor/labormarketinformation/assets/PDFs/census/2kpub/njsdcp3.pdf>

The North Jersey Transportation Planning Authority (“NJTPA”), which is the regional planning agency for northern New Jersey, projects in their “Plan 2050” long range plan that the Borough will grow from 11,928 residents in 2015 to 13,494 residents by the year 2050.¹ In order for that to occur, Woodland Park would need to gain 1,566 residents by 2050, which translates to roughly 45 new residents annually. However, as noted above, the Borough’s population according to the 2020

¹ NJTPA Plan 2050, Appendix E, <https://www.njtpa.org/plan2050>, accessed April 19, 2024.

Census was 13,484, which is only 10 residents less than NJTPA's 2050 projection. Therefore, it is highly likely that the Borough's population will meet and exceed the projected population.

NJTPA Population Projection

Year	Population	Change	Percent
2000	10,987	--	--
2010	11,819	832	7.6%
2015	11,928	109	0.9%
2020	13,484		
2050	13,494	1,566	13.1%

Source: 2000 & 2010 Census table P1; NJTPA Plan 2050, Appendix E

Age Distribution of Population

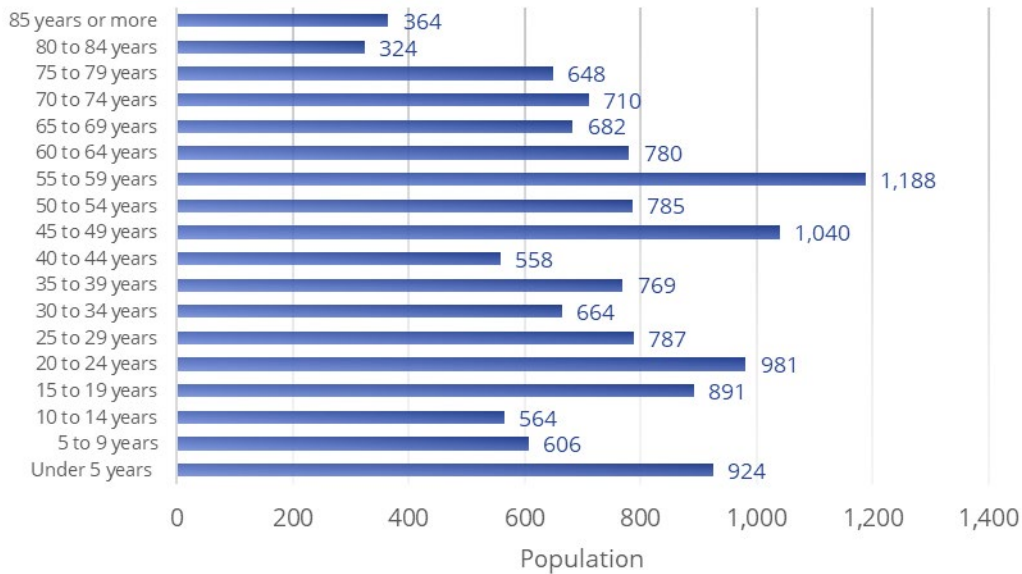
According to the 2021 ACS, approximately 22.5% of the Borough's population was 19 years or younger. At the opposite end of the age spectrum, residents aged 60 years or older comprised 26.4% of the population. The largest age cohort was represented by 55- to 59-year-old persons at 1,188 residents (9%). Persons aged 45 to 49 years comprised 7.8% (1,040) of the Borough's population, while those aged 20 to 24 years comprised 7.4% (981). The Borough's median age was reported to be 43.9 years, which is evident by the large number of middle-aged and elderly residents. The table below shows the 2021 age distribution of Woodland Park's population.

Population by Age Cohort

Age	Total	Percent
Under 5 years	924	7.0%
5 to 9 years	606	4.6%
10 to 14 years	564	4.3%
15 to 19 years	891	6.7%
20 to 24 years	981	7.4%
25 to 29 years	787	5.9%
30 to 34 years	664	5.0%
35 to 39 years	769	5.8%
40 to 44 years	558	4.2%
45 to 49 years	1,040	7.8%
50 to 54 years	785	5.9%
55 to 59 years	1,188	9.0%
60 to 64 years	780	5.9%
65 to 69 years	682	5.1%
70 to 74 years	710	5.4%
75 to 79 years	648	4.9%
80 to 84 years	324	2.4%
85 years or more	364	2.7%
Total	13,265	100.0%

Source: 2021 ACS Table S0101

Population by Age Cohort



Housing Occupancy & Tenure

In 2021, Woodland Park contained an estimated 5,165 housing units. Owner-occupied units comprised 65% of the housing stock, while renter-occupied units comprised 35%. Only 30 housing units were reported to be vacant, which were all noted under the seasonal, recreational, or occasional use category. Therefore, the Borough's housing stock is 99.4% occupied.

Housing Occupancy

	Total	Percent
Occupied Total	5,165	99.4%
Owner Occupied	3,358	65.0%
Renter Occupied	1,807	35.0%
Vacant Total	30	0.6%
For rent	0	0.0%
Rented, not occupied	0	0.0%
For sale	0	0.0%
Sold, not occupied	0	0.0%
Seasonal, Recreational, or Occasional Use	30	100.0%
Other	0	0.0%
Total	5,195	100%

Source: 2021 ACS tables DP04 & B25004

Household Size

As stated above, Woodland Park had a total of 5,165 occupied households according to the 2021 ACS. Two-person households were the highest reported household size with 1,660 units or 32.1%, followed by one-person households with 1,529 units, or 29.6%. Four-person households had the

third highest occurrence with 827 households or 16%. It should be noted that 78 households were reported to house seven or more people.

Household Size

Year	Total	Percent
1-person	1,529	29.6%
2-person	1,660	32.1%
3-person	711	13.8%
4-person	827	16.0%
5-person	210	4.1%
6-person	150	2.9%
7+ person	78	1.5%
Total	5,165	100%

Source: 2021 ACS table B11016

Household Income

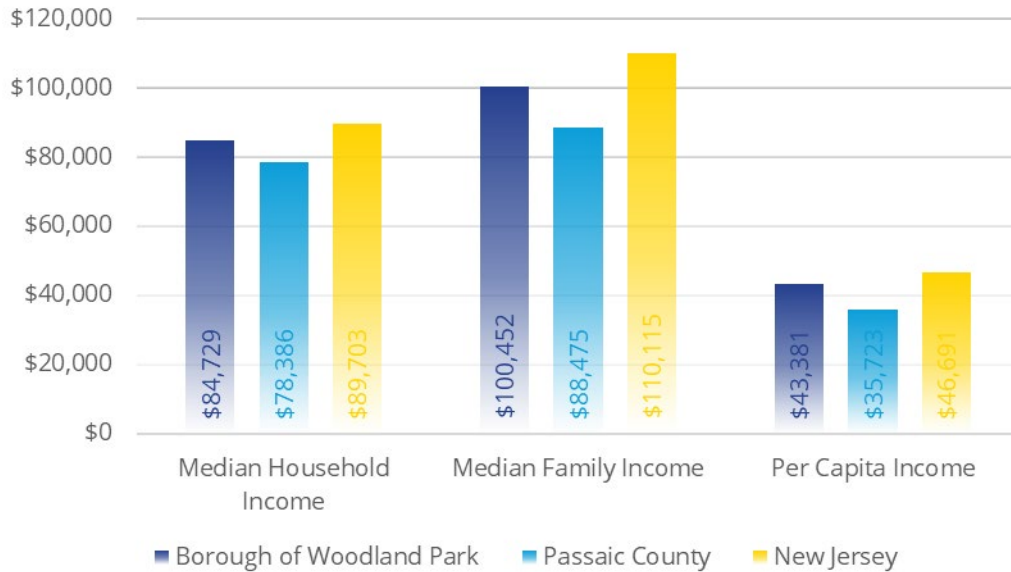
Woodland Park’s median household, median family, and per capita incomes reported in the 2021 ACS fell between the incomes for Passaic County and all of New Jersey. The Borough’s median household income was reported at \$84,729, which is \$6,343 more than the County’s but \$4,974 less than the State’s. Similarly, the Borough’s median family income was just over \$100,000, which is almost \$12,000 more than the County’s and nearly \$10,000 less than the State’s. Woodland Park’s per capita income follows this same trend. The ACS also reports on poverty rates of individuals and families. According to the 2021 data, the poverty rate of individuals in Woodland Park was 11.6%, which is higher than the State’s 9.8% but lower than the County’s 14.6%. The poverty rate for families follows the same trend with the Borough’s rate falling between the County’s and State’s. See the table below and chart on the following page for additional details.

Income Characteristics

Income Type	Borough of Woodland Park	Passaic County	New Jersey
Median Household Income	\$84,729	\$78,386	\$89,703
Median Family Income	\$100,452	\$88,475	\$110,115
Per Capita Income	\$43,381	\$35,723	\$46,691
Poverty Status (Percent of People)	11.6%	14.6%	9.8%
Poverty Status (Percent of Families)	8.3%	12.2%	7.0%

Source: 2021 ACS table DP03

Income Characteristics



Land Use

According to Woodland Park’s 2023 Adopted Budget, the Borough is primarily developed with residential uses, which comprise 92.2% of the Borough’s 3,962 parcels, including apartment uses. The total value of residential parcels was reported to be \$1.336 billion. A total of 223 parcels (5.6%) were classified as commercial and valued at \$278.4 million and 27 parcels (0.7%) were classified as industrial and valued at \$75.4 million. The Borough also had 57 vacant parcels (1.4%), which were valued at \$14 million. The table below summarizes the various land use categories. It should be noted that the Borough’s Budget also includes one Business Personal Property, which is valued at \$744. Additionally, the information provided in the table below does not include 127 tax exempt parcels, which are valued at \$221.6 million. Tax exempt parcels include schools, public properties, church and charitable properties, and other exempt properties.

Land Use (2022)

Land Use Class	Number of Parcels	Percentage	Total Value	Percentage
Vacant	57	1.4%	\$14,053,200	0.8%
Residential	3,646	92.0%	\$1,265,877,200	74.3%
Apartment	8	0.2%	\$70,018,200	4.1%
Farmland	1	0.0%	\$2,100	0.0%
Commercial	223	5.6%	\$278,407,000	16.3%
Industrial	27	0.7%	\$75,448,300	4.4%
Total	3,962	100.0%	\$1,703,806,000	100.0%

Source: 2023 User Friendly Budget, http://www.wpnj.us/filestorage/485/528/532/Woodland-Park-2023__Budget-fba.pdf

State Changes

Since the 2009 Reexamination was adopted, the State has adopted dozens of bills that impact the Municipal Land Use Law, how meetings are conducted, and how towns tackle affordable housing. The following sections detail these policies and regulations.

Complete Streets

The New Jersey Department of Transportation (“NJDOT”) finalized a Complete Streets policy in December of 2009. The policy requires that future roadway improvement projects that are federally or state funded will include safe accommodations for all users, which includes bicyclists, pedestrians, transit users, and the mobility-impaired. The purpose of the policy is “to create and implement a Complete Streets Policy in New Jersey through the planning, design, construction, maintenance, and operation of new and retrofit transportation facilities within public rights of way that are federally or state funded, including projects processed or administered through the Department’s Capital Program.” In December of 2012 the NJDOT issued [A Guide to Creating a Complete Street Implementation Plan](#). This was followed in 2017 by a [Complete Streets Design Guide](#). The 178-page Guide is divided into four chapters and provides guidance on the planning and design process and a lengthy toolbox for implementing complete streets. The final chapter provides street typologies. The document provides helpful information and tips for both practitioners and citizens.²



Photo 1 – Delineated bike lane in Garrett Mountain Reservation

Most recently (July 2019), NJDOT released a [Complete & Green Streets for All Model Complete Streets Policy & Guide](#) report. This report indicates that 160 communities have adopted a complete streets policy via resolution. The document is described as a “one-stop resource for adopting and implementing Complete Streets policies and practices.” This document describes green streets as streets that “use green infrastructure practices installed within the public right-of-way to manage stormwater while preserving the primary function of a street as a conduit for vehicles, pedestrians, bicyclists, and transit riders.”³

Medical Marijuana

On January 18, 2010, Governor Corzine signed into law Senate Bill 119 titled “New Jersey Compassionate Use Medical Marijuana Act”. This law permits the use of medical cannabis for persons with certain conditions. The law permits entities to operate as alternative treatment centers, which are a dispensary for the medical cannabis.

² https://www.state.nj.us/transportation/eng/completestreets/pdf/NJCS_DesignGuide.pdf, accessed April 19, 2024.

³ https://www.state.nj.us/transportation/eng/completestreets/pdf/CS_Model_Policy_2019.pdf, accessed April 19, 2024, page 5

Solar and Impervious

On April 22, 2010, Governor Christie signed into law Senate Bill Number 921 titled “An Act concerning solar panels and impervious surfaces and amending and supplementing various parts of the statutory law.” This law exempts solar panels from impervious surface or impervious coverage calculations.

Time of Decision

On May 5, 2010 Governor Christie signed into law Senate Bill Number 82, titled “An Act concerning the review and approval of applications for development and supplementing P.L. 1975, c.291.” This new law repealed the “time of decision” rule. Previously, municipalities could make zoning changes prior to a formal decision on a development application. For example, if a property owner filed a development application to build a multi-family residential building in a zoning district that permitted such uses on the date the application was filed, the municipality could amend its zoning to prohibit such multi-family use while the application was pending. This would require the applicant to either amend its application or seek a use variance. The new law (P.L. 2010, c. 9) requires that those development regulations that are in effect on the date of submission of an application for development shall govern the review of that application. Any provisions of an ordinance, except those relating to health and public safety, that are adopted after the date of submission are not applicable to that application. The law went into effect on May 5, 2011.

It should be noted, however, that what constitutes an “application for development” went before the State Supreme Court in *Dunbar Homes, Inc. v. Zoning Board of Adjustment of Franklin Township* (233 N.J. 546, 563 (2018)), where the Court found that a complete application must be submitted to receive protection under the development regulations in effect at the time.

New Jersey Energy Master Plan

In 2011 the State of New Jersey published an update to the 2008 Energy Master Plan. The purpose of the document is to outline the vision for the use, management and development of energy in New Jersey over the next ten years. The document has five goals:

- Drive down the cost of energy for all customers.
- Promote a diverse portfolio of new, clean, in-State generation.
- Reward energy efficiency and energy conservation and reduce peak demand.
- Capitalize on emerging technologies for transportation power production.
- Maintain support for the renewable energy portfolio standard of 22.5% energy from renewable sources by 2021.⁴

Wind Facilities on Landfills

On December 14, 2011 Governor Christie signed into law Senate Bill Number 2126 titled “An Act concerning solar energy and wind energy and supplementing P.L. 1979, c.111.” This law amended the Municipal Land Use Law (“MLUL”) to permit a wind energy generation facility or structure constructed and operated on the site of any landfill or closed resource extraction operation to be a permitted use within every municipality outside of the Pinelands Area.

⁴ https://www.nj.gov/emp/docs/pdf/2011_Final_Energy_Master_Plan.pdf, accessed April 19, 2024, page 1.

Master Plan Reexamination Requirements

On May 4, 2011 Governor Christie signed into law Assembly Bill Number 3272 titled “An Act concerning municipal land use planning, and amending the Municipal Land Use Law, P.L.1975, c.291.” This law changed the requirement to provide for a general reexamination of the master plan from every six years to every ten years.

The State Strategic Plan has sat idle since 2012. However, a preliminary plan is expected to be released in the Spring of 2024.

State Development and Redevelopment Plan

The State Strategic Plan is the revision to the 2001 State Development and Redevelopment Plan. The document sets forth a vision for the future of New Jersey along with strategies to achieve that vision. The State Strategic Plan was intended to be adopted by the State Planning Commission in November 2012 but was postponed due to Super Storm Sandy. The Commission is currently working on an update to the Plan, with a planned release of a preliminary plan in the spring of 2024 and adoption of the final plan in the winter of 2025.⁵

The draft final State Strategic Plan has four overarching goals along with ten “Garden State Values”. The four goals are as follows:

- Targeted Economic Growth – Enhance opportunities to attract and grow industries of statewide, regional and international importance.
- Effective Regional Planning - Guide and inform regional planning to enable each region of the State to experience appropriate growth, preservation and protection based on its assets and desires.
- Preservation, Protection and Enhancement of Critical State Resources - Ensure that strategies for growth include preservation, protection and enhancement of our State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing their role in economic growth and the quality of life for New Jersey residents.
- Tactical Alignment of Government - Prioritize effective resource allocation, coordination, cooperation and communication among entities that play a role in meeting the Plan's mission.⁶

The ten values include:

- Concentrate Development and Mix Uses - Promote mixed-use development in Priority Growth and Alternate Investment Areas that is compact, conserves land, offers shopping and services, and provides culturally enriching experiences within convenient walking distance of home and jobs. Build with suitable designs and densities that support walking, biking and public transportation.

⁵ Information obtained from <https://www.publicinput.com/njstateplan#0>, accessed March 4, 2024.

⁶ [r3362011.pdf \(njstatelib.org\)](https://www.nj.gov/transportation/transportation-planning/r3362011.pdf), page 20, accessed April 19, 2024.

- **Prioritize Redevelopment, Infill, and Existing Infrastructure** - Strengthen cities, towns and neighborhoods by prioritizing redevelopment, the reuse and remediation of existing sites and structures, and construction on infill sites that are compatible with surrounding uses. Upgrade existing infrastructure where needed, before adding new capacity. Encourage development that incorporates green design and construction principles and opportunities for clean and renewable energy and efficiency measures.
- **Increase Job and Business Opportunities** - Provide opportunities for investment near housing, infrastructure and transportation. Support economic growth by addressing the land use and infrastructure needs of targeted industries and areas, consistent with these principles.
- **Create High-Quality, Livable Places** - Work with communities to offer an environmentally healthy place to live, work and recreate. Enhance community character and design, especially in historic areas, by reusing significant buildings, reinforcing architectural styles, incorporating art, and providing pedestrian-friendly streetscapes. Improve community plazas, public performance spaces and parks and connections to waterfront areas.
- **Provide Transportation Choice and Efficient Mobility of Goods** - Maintain and enhance transportation options that improve access, safety, affordability and air quality for all users: pedestrians, bicyclists, transit-users, ride-shares and drivers. Improve strategic freight and public transportation infrastructure that supports sound economic growth. Encourage options for low emission and alternate fuel vehicles.
- **Protect Equity** - Consider the impact to equity for property owners. Where the goals, objectives and strategies of this Plan implemented by county and local governments affect the reasonable development potential of private property or is determined to disproportionately affect the equity of other citizens, government agencies at all levels should identify feasible remedies, including, for example, compensation programs, that help mitigate such impacts as appropriate.
- **Diversify Housing Opportunities**- Support construction and rehabilitation of homes that meet the needs of households of all sizes and income levels, located near jobs, transit and where services are available.
- **Provide for Healthy Communities through Environmental Protection and Enhancement** - Protect and restore the environment, sensitive lands, ecosystems and natural resources. Ensure healthy places through an increase in the quantity and quality of preserved land. Reduce energy use, carbon emissions, water degradation and other impacts of development.
- **Protect, Restore and Enhance Agricultural, Recreational and Heritage Lands** - Support agriculture and locally-grown food consumption through protection and preservation of farmland. Protect agricultural lands, and historic sites and landscapes. Provide accessible neighborhood parks and recreational systems.
- **Make Decisions within a Regional Framework** - Maintain up-to-date, coordinated local, regional and State functional plans that reflect these principles and can provide a regional framework for making decisions about capital investments, programs, regulations and

development applications. Gather and consider public input during planning and implementation.⁷

Wireless Co-location

On January 17, 2012 Governor Christie signed into law Senate Bill Number 2989 titled “An Act concerning the collocation of wireless communications equipment and supplementing P.L. 1975, c.291.” This law amends the MLUL to allow for an application for development to collocate wireless equipment to not be subject to site plan review provided the application meets certain requirements.

Non-contiguous Cluster Development

On August 7, 2013 Governor Christie signed into law Assembly Bill Number 3761 titled “An Act concerning municipal land use approval, amending and supplementing P.L. 1975, c.291.” This new law permits communities to offer alternatives to traditional development, through the use of equitable and effective planning tools including clustering, transferring development rights, and lot-size averaging in order to concentrate development in areas where growth can best be accommodated and maximized, while preserving agricultural lands, open space, and historic sites. The new law defines contiguous and non-contiguous clustering and, via non-contiguous clustering, allows development on one tract and preservation of another tract elsewhere in the community.

Local Redevelopment and Housing Law Changes

On September 6, 2013 Governor Christie signed into law Assembly Bill Number 3615 titled “An Act concerning procedures and powers under the Local Redevelopment and Housing Law and amending P.L. 1992, c.79.” This new law amended Criterion E regarding productivity and adding language to the criterion. The law also requires the resolution authorizing the Planning Board to undertake the preliminary investigation to state whether the redevelopment area determination authorizes the use of eminent domain or not. This created a non-condemnation redevelopment and a condemnation redevelopment area and outlined certain noticing requirements.

Affordable Housing

On March 10, 2015, the Supreme Court ruled that the New Jersey Council on Affordable Housing (“COAH”) failed to act and as a result, the Courts would be assuming jurisdiction over the Fair Housing Act. The Order divided municipalities into one of three categories – those that achieved Third Round Substantive Certification, those that filed or petitioned COAH and those that had never participated in the COAH process.

The transitional process created by the Supreme Court tracked the Fair Housing Act procedures for compliance. In this regard, the process permitted municipalities to file a Declaratory Judgment Action during a thirty-day window between June 8 and July 8, 2015 that sought an adjudication as to their fair share. This enabled a municipality to

In response to the 2015 Supreme Court Decision, Woodland Park executed a settlement agreement regarding affordable housing on February 15, 2018.

⁷ [r3362011.pdf \(njstatelib.org\)](#), pages 28-30, accessed April 19, 2024.

comply voluntarily with its constitutional obligation to provide a realistic opportunity for the construction of affordable housing.

On January 18, 2017, the Supreme Court ruled that municipalities are responsible for obligations purportedly accruing during the so-called “gap period,” the period of time between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need (also referred to as Rehabilitation Obligation), which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

See page 34 for a description of Woodland Park’s actions following the March 2015 decision.

Statement of Strategy

On January 8, 2018 Governor Murphy signed into law Assembly Bill Number 4540 titled “An Act concerning smart growth, storm resiliency, and environmental sustainability and amending P.L.1975, c.291.” This new law requires any land use element adopted after the effective date of the new law to include a statement of strategy concerning:

- Smart growth which, in part, shall consider potential locations for the installation of electric vehicle charging stations,
- Storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and
- Environmental sustainability.

Affordable Housing Foreclosure Revisions

On June 24, 2019 Governor Murphy signed into law Senate Bill Number 362 entitled “An Act concerning affordability controls on affordable housing and amending P.L. 1995, c.244.” This law provides that deed restrictions on affordable housing units are not extinguished by foreclosure proceedings.

New Jersey Land Bank Law

On July 11, 2019, Governor Murphy signed into law Senate Bill Number 1214. Bill 1214 is known as the New Jersey Land Bank Law, which will allow New Jersey towns and cities to designate a land bank entity to obtain vacant, abandoned, and neglected properties for productive reuse purposes. This law provides municipalities with a tool to revitalize and reuse properties for public benefit. The law provides for accountability to local communities through the requirement for community advisory boards with mandatory access to certain information and opportunities for the board to comment on the land bank entity’s decisions. Land bank entities will further be required to develop and maintain an online, publicly accessible database of current and former land bank properties. The community advisory board must issue an annual report on the accuracy, integrity, accessibility, and comprehensiveness of the land bank entity’s online database.

Innovation District Designation Program

On August 8, 2019 Governor Murphy signed into law Assembly Bill Number 5111, creating the Innovation District Designation Program. The program, established within the New Jersey Commission on Science, Innovation, and Technology, encourages development of innovation

districts within New Jersey. Innovation districts promote the development or redevelopment of an area in a manner that facilitates collaboration between government, higher education institutions, and private enterprises, and are a strategic way to promote development in science and technology throughout the State. Municipalities may apply individually or jointly for designation of an area as an innovation district.

Stranded Asset Redevelopment Criterion

On August 9, 2019 Governor Murphy signed into law Assembly Bill Number 1700 titled “An Act concerning the designation of certain areas as in need of redevelopment and amending P.L. 1992, c.79.” The law expands the eligibility criteria for designating certain areas as being in need of redevelopment. Specifically, the law amends Criterion B by adding retail, shopping malls, and office parks to the list of discontinued uses.

Temporary Supplemental Zoning Board

On August 9, 2019 Governor Murphy signed into law Senate Bill Number 3212 titled “An Act concerning municipal zoning boards of adjustment, supplementing P.L. 1975, C.291, and amending P.L. 2005, c. 133 and P.L. 1991, c.256.” The law allows a municipality to establish a temporary, supplemental zoning board to address any backlog of applications. A municipality that determines a need for a supplemental zoning board must adopt an ordinance to establish one.

Electric Charging Stations

On November 6, 2019 Governor Murphy signed into law Senate Bill Number 606 titled “An Act encouraging local units to plan for electric vehicle charging infrastructure, and amending P.L. 1975, c.291, and P.L. 1992, C.;79.” The law requires a Land Use Plan Element to illustrate the existing and proposed location of public electric vehicle charging infrastructure; a Circulation Plan Element to identify existing and proposed locations for public electric vehicle charging infrastructure; a Green Buildings and Environmental Sustainability Plan Element to consider, encourage, and promote the development of public electric vehicle charging infrastructure in locations appropriate for their development, including, but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops. Additionally, the law amended the requirements of a Master Plan Reexamination Report to add a new section “F” that contains the recommendations of the planning board 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.

Long-Term Tax Exemptions

On January 13, 2020, Governor Murphy signed into law Senate Bill Number 538 titled “An Act concerning long-term tax exemptions on certain low-income housing, amending P.L. 1983, c.530, and supplementing P.L. 1991, c.431 (C.40A:20-1 et seq.)” This law allows long-term tax exemption extensions for certain low-income housing. Previously, a property tax exemption could be granted to an affordable housing project for a maximum of 35 years, or until a loan provided by the new Jersey Housing and Mortgage Finance Agency was fully paid. This legislation permits a municipal governing body to continue a tax exemption for a State or federally subsidized housing project beyond the date of the payoff of the existing first mortgage as long as the project remains subject to certain affordability controls.

Virtual Public Meetings

On March 20, 2020 Governor Murphy signed into law Assembly Bill Number 3850 titled “An Act concerning the conduct of public meetings during periods of emergency and supplementing P.L. 1975, c.231.” This law allows public meetings, including zoning and planning board meetings, to be conducted electronically during a public health emergency.

Affordable Housing Marketing

On July 1, 2020 Governor Murphy signed into law Senate Bill Number 2527 titled “An Act concerning the online marketing of affordable housing units and supplementing P.L. 1985, c.111.” This law requires developers, owners, property managers, and/or administrative agents to post notices of available affordable housing on the Housing Resource Center website at least 60 days prior to conducting a lottery.

Climate Change-Related Hazard Vulnerability Assessment

On February 4, 2021 Governor Murphy signed into law Assembly Bill Number 2785 titled “an Act concerning municipal master plans, amending P.L. 1975, c.291, and supplementing title 13 of the Revised Statutes.” This law requires any land use plan element adopted after the effective date to include a climate change-related hazard vulnerability assessment which shall analyze current and future threats to, and vulnerability of, the municipality associated with climate change-related natural hazards such as increased temperatures, drought, flooding, hurricanes, and sea-level rise.

Adult-Use Recreational Cannabis

On February 22, 2021 Governor Murphy signed into law Assembly Bill Number 21 titled “An Act concerning the regulation and use of cannabis, and amending and supplementing various parts of the statutory law.” The law legalizes recreational personal use of cannabis for adults and provides municipalities with 180 days from the date the law was signed to prohibit or establish zoning provisions regulating the six classes of cannabis – cultivation, manufacturing, wholesaling, distribution, retail, and delivery. Municipalities that do not act within the 180-day period will be “locked in” for a five-year period to standards established by the law.

The Borough adopted Ordinance No. 21-10 on May 5, 2021, which prohibited all six cannabis classes in the Borough.

Certain Housing Exempt from Zoning Regulations

On June 30, 2021 Governor Murphy signed into law Senate Bill 1676 titled “An Act concerning hospitals and supplementing P.L. 1971, c.136 (C.26:2H-1 et seq.)” The law allows hospitals to construct housing for individuals who are homeless or housing insecure and deems such housing as a permitted use in all residential and non-residential districts of a municipality and exempt the use from local zoning restrictions.

Electric Vehicle Charging Space Requirements

On July 9, 2021 Governor Murphy signed into law Senate Bill 3223 titled “An Act concerning electric vehicles supply equipment and make-ready parking spaces and amending and supplementing P.L. 1975, c.291 (C.40:55D-1 et seq.)” This law amends the MLUL’s definition of inherently beneficial to

include electric vehicle charging infrastructure. It also amends the law to permit electric vehicle supply equipment as a permitted accessory use and structure in all zoning districts within a municipality and precludes variances. The law states that an application for the installation of electric vehicle supply equipment at an existing gas station, retail establishment, or any other existing building shall not be subject to site plan or other land use board review provided it does not violate any bulk requirements. Moreover, all applications involving five or more multi-family units must provide 15% of the parking spaces as “make-ready” spaces and install electric vehicle supply equipment in at least one-third of the 15% of “make-ready” spaces. There are also requirements for parking lots containing certain numbers of spaces to provide “make-ready” and/or actual charging equipment. The act took effect immediately and any development applications filed after July 9, 2021 will be subject to these requirements.

Prohibition of Appeals to Land Use Decision

On September 24, 2021, Governor Murphy signed into law Assembly Bill Number 4881 title “An Act concerning appeals of electronic meetings held under the Municipal Land Use Law during the emergency declared in response to the COVID-19 pandemic.” This law does not allow a decision of a municipal agency made at, or based, in whole or in part, on a meeting held by means of electronic equipment where some or all participants are not in the same physical location to be appealable on grounds attributable to lack of a physical quorum, lack of a reasonable opportunity to be heard, or otherwise participate in the meeting, etc.

Affordable Housing Reform

On March 20, 2024, Governor Murphy signed into law Assembly Bill Number 4 titled “An Act concerning affordable housing, including administration and municipal obligations, amending, supplementing, and repealing various parts of the statutory law, and making an appropriation.” This law dramatically modifies the State’s affordable housing regulations. The 75-page bill abolishes the Council on Affordable Housing, modifies the process of affordable housing compliance, amends bonus credits, and sets forth several deadlines. Major changes to the regulations include:

- Increasing the cap on age-restricted units from 25% to 30%.
- Creating the Affordable Housing Dispute Resolution Program, which will be responsible for resolving challenges regarding obligations and housing plans, and reviewing housing plans for compliance.
- A municipality or other interested party may file an action through the Program seeking a realistic opportunity review at the midpoint of the certification period, including a review of any inclusionary development site in the housing element and fair share plan that has not received preliminary site plan approval prior to the midpoint of the 10-year-round.
- Failure to meet certain deadlines results in the loss of immunity from exclusionary zoning, which includes builder’s remedy lawsuits, and appears to occur instantly.
- The housing element must also include an analysis of consistency with the State Development and Redevelopment Plan.
- Towns seeking Vacant Land Adjustments are now required to identify sufficient parcels likely to redevelop during the current round to address at least 25% of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation.
- Transitional housing is now defined and creditworthy if it meets the micro requirements.

- The bonus credits have been radically amended. The rental bonus credit, which many towns relied on in the third round, has been eliminated and replaced with several bonus options. However, most bonuses are now 0.5 instead of 1.
- All parties are entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute or binding court decisions.
- The length of deed restrictions for rental units has been increased to no less than 40 years. For-sale units remain at no less than 30 years.

The first deadline occurs on June 18, 2024; however, the most important deadlines occur in 2025. On January 31, 2025, a municipality must adopt a binding resolution outlining its present (rehabilitation obligation) and prospective (fourth round) fair share obligation. A community can accept the numbers issued by the Department of Community Affairs or calculate its own obligation numbers. Then, by June 30, 2025, municipalities must adopt a housing element and fair share plan and prepare drafts of the zoning and other ordinances and resolution to implement its present and prospective obligation.

County Changes

Since the 2009 Reexamination, Passaic County has adopted several Master Plan Elements and technical studies.⁸ For the purposes of this Reexamination, the five Master Plan Elements adopted since 2009 are summarized below.

Highlands Element of the Passaic County Master Plan

The Passaic County Planning Board adopted the Highlands Element of the Passaic County Master Plan on July 7, 2011. This document is based on the model Highlands Element prepared by the New Jersey Highlands Water Protection and Planning Council and modified as it relates to Passaic County. The document was prepared as a result of the Highlands Act, which requires counties seeking Plan Conformance to adopt revisions to their master plan documents to align with the Highlands Regional Master Plan. The Master Plan Element sets forth the policies for future development in the Highlands Preservation Area within Passaic County. Since the Highlands Region encompasses the northern portion of the County, including the Borough of Bloomingdale, Borough of Pompton Lakes, Borough of Ringwood, Borough of Wanaque, and Township of West Milford, this document does not apply to the Borough of Woodland Park.

Transportation Element of the Passaic County Master Plan

The Passaic County Planning Board adopted the Transportation Element of the Passaic County Master Plan on October 18, 2012. The document discusses the existing trends and transportation infrastructure in the County and includes six themes: Complete Streets; Bicycle, Pedestrian, and River Access; Public Transportation; Motor Vehicle Circulation; Moving Goods and People; and Scenic and Historic Byways. The Plan includes four overall Goals, which are stated in Chapter 1 and are provided below. Additional goals and objectives are provided for each theme of the Transportation Element.

1. Bring the County's transportation system in line with current and anticipated future needs.

⁸ Documents sourced from <https://www.passaiccountynj.org/departments/planning-economic-development/plans-and-technical-studies>, accessed April 19, 2024.

2. Help the County become more transit friendly and reduce reliance on the automobile.
3. Integrate transportation with local land-use plans to better support each community’s vision for its future.
4. Work toward the creation of “Complete Streets” so that our roadways better serve all users, including pedestrians, bicyclists, transit users, senior citizens, and persons with disabilities.⁹

The document does not make any specific recommendations for the County Roads in the Borough of Woodland Park. However, a summary of the relevant topics pertaining to the Borough are provided below.

The County’s Complete Streets plan and policy is discussed in Chapter 3. Map 3.2, entitled “Complete Streets Classification Southern Passaic County” on page 25 illustrates Browertown Road (County Road 635) and Squirrelwood Road/New Street (County Road 633) as Regional Streets. Additionally, McBride Avenue (County Road 639), Lackawanna Avenue (County Road 632), Rifle Camp Road (County Road 633), and Weaseldrift Road (County Road 634) are shown as Community Streets. The description of Regional and Community Streets are provided below.¹⁰

<i>Regional Streets</i>	<i>Community Streets</i>
<p>A Regional Street in Passaic County is a major travel route that handles the highest volume of traffic on County roadways, supporting all modes of transportation. Land uses along Regional Streets tend to be single-use but may have some mixed-uses in the more urbanized portions of the County. They are often used for longer intra-county trips and inter-county travel and provide access to major highways. They tend to be well served by public transit, including inter-county and interstate services, connecting major activity centers through the County. Regional Streets make up the majority of county roadways used for freight movement as highlighted in the Moving Goods and People section.</p> <p>Regional Boulevards are similar to Regional Streets. However, travel speeds may be lower, parking may be permitted and raised medians are a preferred design treatment.</p>	<p>Community Streets provide connections for local communities to reach regional through-routes, local commercial areas and downtown centers. Traffic-calming techniques lower travel speeds and allow all users to share the road safely. Community streets provide the ideal environment to introduce a network of connected bicycle facilities throughout the County. Safe street crossings and access to mass transit for pedestrians shifts the focus from motor vehicles to people on these streets. Context sensitive solutions such as street trees and planting strips add place-making elements along Community Streets and provide an avenue for implementing “Green Streets” policies.</p>

Chapter 4 discusses Bicycle, Pedestrian and River Access. Map 4.2 designates McBride Avenue, Lackawanna Avenue, Browertown Road, Rifle Camp Road, New Street, and Weasel Drift Road as on-road bicycle and pedestrian priority routes. The Map also illustrates the Morris Canal Greenway, which generally runs parallel to Browertown Road, and off-road bicycle and pedestrian priority routes along the Passaic River and in Rifle Camp Park. One proposed boat launch point is identified at the west end of Passaic Avenue. Map 4.4 illustrates bicycle and pedestrian hot spot crash locations based on data from 2008 to 2011. There are two low crash density hot spot areas for

⁹ Transportation Element, <https://www.passaiccountynj.org/home/showpublisheddocument/2262/637672140975730000>, pages 1 & 2, accessed May 17, 2024.

¹⁰ Transportation Element, <https://www.passaiccountynj.org/home/showpublisheddocument/2262/637672140975730000>, pages 22 & 23, accessed May 17, 2024.

crashes, the southwest corner of Woodland Park around the McBride Avenue and Lackawanna Avenue intersection and the southeast corner of the Borough at the Great Notch Road and Valley Road (in Clifton) intersection.

Chapter 5 discusses public transportation within the County, including bus and rail service. NJ Transit operates bus routes along McBride Avenue and Browertown Road, these routes are illustrated on Map 5.2. Maps 5.3 through 5.5 illustrate proposed public transportation improvements. However, none are proposed within Woodland Park.

Chapter 6 discusses the motor vehicle circulation within Passaic County and includes discussions on congestion, traffic and land use, complete streets, safety, efficiency, drainage, and bridges. As shown on Map 6.2, Woodland Park, specifically along McBride Avenue and areas near Route 46 in Little Falls are within major travel corridors. The recommendations provided in this Chapter do not specifically relate to Woodland Park. However, it should be noted that Map 6.10 does illustrate areas around the McBride Avenue and Lackawanna Avenue intersection as a low density vehicle crash hot spot. Chapter 7 discusses the movement of goods within and through the County. Map 7.2 identifies Interstate 80 as a Through Freight Roadway.

Chapter 8 discusses the County's Scenic and Historic Byways, which includes the Passaic River, Morris Canal Greenway, McBride Avenue, and Garret Mountain and Rifle Camp Park in Woodland Park. This Chapter provides a brief history of each as well as maps to illustrate their locations.

Sustainability Element of the Passaic County Master Plan

On May 2, 2013, the Passaic County Planning Board adopted the Sustainability Element of the Passaic County Master Plan. This document serves to guide County policies and development with a focus on economic, environmental, and energy benefits to “ensure Passaic County’s Rich History and Bright Future.”¹¹ The document provides a Vision for a Sustainable Future, a review of environmental resources and priority areas, and Goals and Strategies. Page 5 defines Sustainability as “a systematic approach that supports economic responsibility, environmental stewardship and a thriving community to achieve and encourage the highest level of efficiency and conservation of resources in local government operations.” A Venn diagram is provided to illustrate the relationship between the environment, community, and economy, which is provided below.

¹¹ Sustainability Element, <https://www.passaiccountynj.org/home/showpublisheddocument/2260/637672105117830000>, page 1, accessed May 17, 2024.



Figure 1 - Sustainability Venn Diagram¹²

The Goals of the Sustainability Element are provided beginning on page 37 and include goals related to the Environment, Economy, and Community. Environmental goals include those related to natural systems, planning and design, and energy and climate. Economic goals include the topics of economic prosperity and employment and workforce training. Community goal topics include education, arts and society, health and safety, and affordability and justice. Pages 38 through 45 provide detailed descriptions of each. These Goals are general in nature and are not specific to any one municipality or area of the County, including Woodland Park.

Parks, Recreation and Open Space Master Plan

The Passaic County Planning Board adopted the Parks, Recreation and Open Space Master Plan (“PROS”) in June of 2014. The PROS provides an inventory of County-owned parks, recreational facilities, and open space areas, assesses the County Park System including operations, financing, conditions, programs, natural resources, etc., provides a needs analysis, and establishes an action plan, which includes recommendations for the entire park system as well as park-specific recommendations.

Chapter 4 of the PROS provides the Plans Mission, Vision, and Goals and Objectives. The Mission and Vision of the document are provided on the following page:¹³

¹² Image sourced from <https://www.passaiccountynj.org/home/showpublisheddocument/2260/637672105117830000>, page 5, accessed April 19, 2024.

¹³ PROS, <https://www.passaiccountynj.org/home/showpublisheddocument/2256/637672105074870000>, page 20, accessed May 17, 2024.

<i>Mission</i>	<i>Vision</i>
<p>The lands and facilities of the Passaic County Park System are dedicated to the enjoyment, education, health, and inspiration of all the people of Passaic County.</p> <p>The Passaic County Park System leads: in providing stewardship to sustain, preserve and protect areas of natural beauty, ecological features and recreational resources of county significance; in offering outstanding public recreational opportunities in a safe and healthy environment; and in interpreting, commemorating, and celebrating the enduring contribution of the county's natural and cultural heritage to the history and development of New Jersey and the United States.</p>	<p>Passaic County envisions a public park system that features a comprehensive and integrated network of park, recreation and open space areas, which are alive with energy, attractive, well maintained, and provide a high-quality experience for any visitor or user of a county park and recreation program.</p> <p>The park system is safe and user-friendly, providing new and restored facilities set in significant historic and scenic landscapes, and in open spaces and recreation areas which meet the dynamic needs of the county's diverse residents.</p> <p>The parks attract Passaic County residents and visitors from the metropolitan area to enjoy outstanding public recreation and open space areas, which protect the environment, strengthen the county's diverse communities, and promote healthy living</p>

Additionally, the PROS provides six overall Goals, each with their own objectives. The Goals are as follows:¹⁴

1. Improve the quality of life of Passaic County Residents.
2. Increase the accessibility of the Passaic County Park System.
3. Improve communication and outreach.
4. Improve the Passaic County Park System as a tool for economic development.
5. Manage the Passaic County Park System as a key means for promoting the County's rich heritage and educating the public.
6. Expand the Passaic County Park System.

The Passaic County Park System includes 11 County-owned and operated parks and recreational areas, which total 3,940 acres. Two of these areas located within the Borough of Woodland Park, Garret Mountain Reservation and Rifle Camp Park. In Chapter 3 of the PROS, Garret Mountain Reservation is described as a 310-acre park within the Borough and the City of Paterson. The Reservation includes hiking trails, walking and biking lanes, athletic fields and courts, a pond, boat house, equestrian center, and picnic areas, gazebos, and scenic overlooks. The area also includes Lambert Castle (in Paterson) and Observatory Tower (on the border between the municipalities), which were constructed in the 1890s. Other facilities include the stables, canine unit, pistol range, motor pool, and other facilities of the Passaic County Sheriff's Department, a maintenance shed, and on-site parking throughout. Rifle Camp Park is described as a 169-acre park providing active and passive recreational activities. The Park is located just south of Garret Mountain Reservation in the southeast corner of the Borough. The Park provides trails, areas for sledding, a toboggan run (non-operational), picnic areas, and camping areas with lean-to shelters. The Park also includes the John

¹⁴ Ibid, pages 20-22, accessed May 17, 2024.

J. Crowley Nature Center and Astronomical Observatory. On-site parking is also provided within the Park.

A Needs Analysis for Passaic County is provided in Chapter 8. Based on data included in the Plan and using the NJDEP's balanced land use guidelines, 4,122 acres of public active recreation areas should be provided, which equates to 7% of the County's developed and developable lands. The Passaic County Park System comprises 3,940 acres, which nearly meets the minimum. However, three-quarters of that area is not developed or environmentally suitable for recreation activities. The Analysis also noted the "serious imbalance" of the distribution of recreational lands, with a majority of the areas located in the northern part of the County. Since a majority of the County's population resides in the southern half of the County, this population is underserved due to the lack of nearby recreational opportunities.



Photo 2 – Barbour Pond, Garret Mountain Reservation

Chapter 9 provides the Action Plan for the Passaic County Park System to address the needs of the County's residents, while advancing the Mission, Vision, and Goals of the PROS. The document provides recommendations for the Park System overall as well as for each area. Select recommendations for Garret Mountain Reservation and Rifle Camp Park are summarized below. It should be noted that the recommendations are categorized as short-term and long-term. Short-term recommendations should be completed within five years of the PROS' adoption, while long-term recommendations should be completed within ten years.

Garret Mountain Reservation¹⁵

- Bring park facilities into compliance with the American with Disabilities Act, where applicable (short- and long-term).
- Conduct a feasibility study on converting restrooms to self-composting systems (short term).
- Remove and clean-up fallen trees and limbs. (short-term).
- Upgrade electrical service and infrastructure and improve lighting or alternatively, provide localized solar installations or underground systems (short- and long-term).
- Repave the main roadway and walkways into the park (short-term).
- Develop a signage program (short-term).
- Add picnic tables, grills, and related amenities to picnic areas (short-term).
- Restore the pond with a shallow water basin (long-term).

¹⁵ PROS, <https://www.passaiccountynj.org/home/showpublisheddocument/2256/637672105074870000>, pages 89 & 90, accessed May 17, 2024.

- Rehabilitate and add sports courts and rehabilitate the overlook area (long-term).
- Improve drinking fountains (long-term).
- Complete a feasibility study to add a boating concession and restore boat rentals (long-term).

Rifle Camp Park¹⁶

- Bring park facilities into compliance with the American with Disabilities Act, where applicable (short- and long-term).
- Improve park entrance visibility with additional signage (short-term).
- Repair or screen the booster pump building, repair the platform tent area, repair electrical service to the amphitheater, and repair the fitness course (short-term).
- Repave roadways and parking lots (short-term).
- Develop a signage program (short-term).
- Develop comprehensive programming for the amphitheater (short-term).
- Replace and improve lighting (short-term).
- Provide a spray park amenity, tot lot and playground, and renovate the Nature Center and Observatory (short-term).
- Develop a link between the Park and Garret Mountain Reservation (long-term). (Note that the PROS does not provide any information on how to create a link between the parks.)
- Review the potential reuse of the toboggan run and development for winter activities (long-term).

Green Stormwater Infrastructure Element of the Passaic County Master Plan

On January 10, 2019, the Passaic County Planning Board adopted the Green Stormwater Infrastructure Element of the Passaic County Master Plan. This document provides a comprehensive strategy for stormwater management using low impact development techniques and green stormwater infrastructure. The Element includes discussion on the preparation of the document and recommendations to implement these stormwater management policies and is general in nature and does not specifically address any one municipality. However, the Goals of the Element are as follows:¹⁷

- Develop strategies to implement LID (Low Impact Development) / GSI (Green Stormwater Infrastructure) throughout the County.
- Provide standardized technical guidance to support Countywide implementation on public capital improvement and private sector land development projects. Technical guidance includes a Stormwater Management Guidance Manual and Green Streets Guidelines.
- Provide recommendations to incorporate Green Stormwater Infrastructure requirements into an update of the County's Site Plan and Subdivision Resolutions.
- Provide resources for municipalities to facilitate implementation at the local level. (The regulatory and technical guidance materials developed for the County can be adapted by municipalities to adopt their own regulations or guidelines for use in local planning and development review processes.)

¹⁶ PROS, <https://www.passaiccountynj.org/home/showpublisheddocument/2256/637672105074870000>, pages 95 & 96, accessed May 17, 2024.

¹⁷ Green Stormwater Infrastructure Element, <https://www.passaiccountynj.org/home/showpublisheddocument/2294/637696485458670000>, page 5, accessed May 17, 2024.

Municipal Changes

Since the 2009 Reexamination was adopted, the Borough has adopted several master plan documents and has amended its Zoning Ordinance. The following sections describe the local-level changes since 2009.

2012 Master Plan

On January 9, 2012, the Planning Board adopted the Woodland Park 2012 Master Plan (“2012 Master Plan”), which includes Land Use, Housing, Economic, Circulation, Utility Service, Community Facilities, Recreation Plan, Recycling Plan, and Sustainability Elements.¹⁸ Chapter 1.0 of the 2012 Master Plan summarizes the MLUL requirements of a master plan, provides an overview of the Borough’s master plan history and current demographic, land use, and circulation conditions, and the Borough’s Goals. Chapter 2.0 discusses the existing land use, environmental, population, and housing conditions. Current planning-related issues in the Borough are also discussed on page 22.

Land Use Plan Element

The Land Use Plan of the 2012 Master Plan provides ten Objectives to guide development in the Borough. Additionally, the Land Use Plan Element includes a description of the existing land uses in the Borough including residential (single-, two-, and multi-family residential), commercial, corporate office, industrial, public and quasi-public lands, recreation and open spaces, and vacant land. The Land Use Plan Element also provides two major initiatives for future land use, neighborhood versus downtown commercial uses and the McBride Avenue Corridor. Additionally, this Plan Element provides zoning recommendations for each land use as well as overall recommendations.

Housing Plan Element

This section details the Borough’s Housing Element and Fair Share Plan that was adopted on December 30, 2008 and the activities that followed.

Economic Element

The Borough’s Economic Element provides goals, polices, and programs to stimulate economic development within Woodland Park. Employment characteristics, such as unemployment rates, jobs and professions of residents and those businesses present in the Borough, and employment projections are discussed. The Economic Plan Element provides general strategies to “foster a vibrant economic community”, such as coordinating with local businesses to track commercial activity and trends and to support home-based businesses. The Downtown/McBride Avenue Corridor, specifically from Route 46 to Browertown Road, is recommended to be a mixed-use district that would improve the aesthetics of the area and reinforce existing businesses. The following policies are recommended for this area:

- Creation of a Downtown Mixed-Use District with an intensity that supports the success of the area.
- Permitting mixed-use buildings as a principal use.
- Allowing shared parking among property owners.
- Improving pedestrian circulation.

¹⁸ http://www.wpnj.us/filestorage/485/492/Master-Plan_Jan-2012.pdf, accessed April 19, 2024.

Additionally, an Economic Development Committee is recommended to be established to coordinate with local businesses and create a Business or Special Improvement District (BID or SID).

Circulation Plan Element

The Circulation Plan Element discusses the existing transportation system within the Borough including freeways, major and minor arterials, and collectors, passenger rail service, and bus service. The Borough's Roadway Improvement Program, which details the roads that have been improved and planned roadway resurfacing up to 2020. The State's Transportation Improvement Program and County Transportation Element are discussed where relevant to the Borough. Finally, the Circulation Plan Element recommends the Borough establish a complete streets policy to enable the Borough to seek funding for roadway improvements to allow all users, vehicles, bicyclists, and pedestrians to utilized roadways.

Utility Service Plan Element

The Utility Service Plan Element provides an inventory of the Borough's water and sewer infrastructure. The Borough's Water Department serves 69% of the Borough, while the balance is served by the Passaic Valley Water Commission and New Jersey American Water Company. The Borough's Department of Water Pollution and Control maintains the sanitary sewer system, including its pump station. However, the sewage is treated at the Passaic Valley Sewage Commission's wastewater treatment plant in Newark. The Utility Service Plan Element also discusses the Borough's Stormwater Management Plan, which was prepared pursuant to N.J.A.C. 7:14A-25.

Community Facilities Analysis

The Community Facilities Analysis, or Community Facilities Plan Element, evaluates the current level of service of the Borough's Police and Fire Departments, and public school system and compares it to the level of service standards. According to the Plan Element, the Borough's Police Department provides adequate service, while the Borough's Fire Department exceeds the standard level of service. Finally, the Woodland Park School District's enrollment and student to teacher ratios were found to meet the national standards.

Recreation and Open Space

The Passaic River Coalition prepared the Borough's Open Space and Recreation Plan in December of 2007. This Section of the 2012 Master Plan refers to the 2007 document, but restates the recommendations of the 2007 Plan.



Photo 3 - Borough playground

Recycling Plan Element

This section of the 2012 Master Plan discusses the Borough's recycling program, which was established via Ordinance in 1988. The Ordinance requires the separation of newspapers, glass, food and beverage containers, aluminum cans, and leaves from other solid waste products. Commercial and industrial uses are also required to separate corrugated cardboard, high grade paper, glass, aluminum cans, and food and beverage containers. Table 26 on page 63 details the tonnage of each category of recycled material by residential and commercial uses in 2009. The Recycling Plan Element recommends updating the recycling ordinance as amendments are made to the MLUL and to amend the Ordinance to require multi-family, commercial, and mixed-use developments to provide a separate recycling receptacle.

Sustainability Plan Element

Finally, the Sustainability Plan Element defines sustainability and its components as well as decision making policies to guide Woodland Park to become a sustainable community. Policy areas discussed in the Sustainability Plan Element include decision making and partnerships, climate action plan monitoring, environmental preferable purchasing, energy efficiency, conservation, and renewable energy sources, water conservation and efficiency, green infrastructure and building, community character and place-making, public education and awareness, transit-oriented development, and transportation and parking demand. Each topic includes a brief summary of its purpose and provides goals and action items to implement each policy.

2018 Settlement Agreement

In response to the March 10, 2015 Supreme Court decision to strip the Council on Affordable Housing of all its powers and duties, Woodland Park filed a Declaratory Judgment Action on July 7, 2015. Between 2015 and 2018, the Borough negotiated with Fair Share Housing Center ("FSHC") and reached a settlement in February of 2018. As outlined in the Settlement Agreement, Woodland Park has a three-part obligation:

- Rehabilitation – 7
- Prior Round Obligation – 95
- Third Round Obligation – 440 (95-unit Realistic Development Potential ("RDP") and 375-unit Unmet Need)

To address the Borough's Third Round Realistic Development Potential ("RDP"), the Borough agreed to the following:

- Retain the existing zoning at the Garrett Point property, Block 85, Lot 14, which was already zoned for inclusionary development at a density of 20 units per acre. Development approvals for a 128-unit inclusionary development had been granted, which would produce 20 affordable units. Pursuant to the Settlement Agreement, 17 credits and 17 bonus credits would be applied to the Prior Round Obligation, while three credits would be applied to the Third Round RDP.
- Work with Bergen County United Way to purchase a group home for the developmentally disabled with a minimum of three bedrooms, which would be eligible for six affordable housing credits.

- Create a new zone on Block 85, Lots 7.01 and 13.01 (Bank of New York) to permit a multi-family inclusionary housing development at a density of 12 units per acre with a 15% affordable housing set-aside. This would produce 54 affordable units.

To address the Borough's Third Round Unmet Need, the Borough agreed to the following:

- Create a new zone on a collection of properties, identified as the Kearfott property in the Settlement Agreement, to permit mixed-use development at a density of 25 units per acre with a 15% affordable housing set-aside, which equates to 62 affordable units. The properties that would be affected by this new zone include the following:
 - Block 91, Lot 1 (including additional Lots 2 through 8)
 - Block 92, Lot 1 (including additional Lots 2 through 17)
 - Block 93, Lot 1 (including additional Lots 2 through 33)
 - Block 94, Lot 1 (including additional Lots 2 through 39)
 - Block 95, Lot 1 (including additional Lot 1.01)
 - Block 95, Lot 2 (including additional Lots 3 through 39)
 - Block 115, Lot 1 (including additional Lots 2, 2.01, and 3)
 - Block 116, Lot 1 (including additional Lots 2 through 37)
 - Block 117, Lot 1 (including additional Lots 2 and 3)
 - Block 117, Lot 4 (including additional Lot 5)
 - Block 117, Lot 6 (including additional Lot 7)
 - Block 117, Lot 8 (including additional Lots 9)
 - Block 117, Lot 10 (including additional Lot 11)
 - Block 117, Lot 12 (including additional Lot 13)
 - Block 117, Lot 14 (including additional Lots 15 and 16)
 - Block 117, Lot 17 (including additional Lots 18 through 24)
 - Block 117, Lot 25 (including additional Lots 26, 27, and 28)
 - Block 126, Lot 1 (Island)
- Create a new zone on Lots 1, 1.01, 1.02, and 2 of Block 107, identified as the Marino Property in the Settlement Agreement, to permit multi-family residential development at a density of seven units per acre with a 15% affordable housing set-aside, which would produce eight affordable units.
- Modify the CBD District zoning to permit housing at a density of 40 units per acre only if a 15% affordable housing set-aside is provided. This could generate up to 296 affordable units.

A Fairness Hearing was held on March 27, 2018 to determine if the Borough's Settlement Agreement with FSHC created a realistic opportunity to satisfy the Borough's affordable housing obligation. On April 10, 2018, the Honorable Judge Thomas F. Brogan approved the Borough's Settlement Agreement.

Zoning Ordinances

Since the 2009 Reexamination, the Borough has adopted several Ordinances amending and refining its zoning regulations. However, in response to the recommendations provided in the Land Use Plan Element in the 2012 Master Plan, the Mayor and Council adopted Ordinance No. 17-02 on February 15, 2017, which amended a majority Chapter 22, "Zoning". Major changes implemented by Ordinance No. 17-02 include:

- Adding, removing, and revising definitions.
- A new Zoning Map illustrating 17 Zone Districts.
- A new Schedule of permitted principal, conditional, and accessory uses.
- New Schedules of bulk requirements and parking regulations.
- The Zone District Regulations were revised to provide regulations for the Borough's 17 Zone Districts (Section 22-5 through 22-22).
- A new section was added, which provides supplemental regulations for each Zone District (Section 22-23).
- A new section was added to provide requirements for conditional uses (Section 22-24).
- The Site Plan and Design Standards section and General Regulations section were revised in their entirety (Sections 22-31 and 33).
- Certain sign regulations were revised and/or eliminated (Section 22-42).
- Site plan approval, zoning permits, certificates of occupancy, public hearings, and similar procedural requirements were also amended.

Due to the extensive changes to the Borough's Zoning Ordinance via Ordinance No. 17-02, this 2024 Reexamination only reviews Ordinances adopted after February 15, 2017, which are detailed below:

- Ordinance No. 17-12, adopted on August 16, 2017 – This Ordinance amended Section 22-11.10g of the Zoning Ordinance and Section 34-2 of the Affordable Housing Ordinance to eliminate sections allowing reduced condominium fees for affordable housing units.
- Ordinance No. 17-21, adopted on August 16, 2017 – This Ordinance amended the Schedule of Parking Requirements to require parking for all residential districts to be provided on site.
- Ordinance No. 17-34, adopted on December 20, 2017 – This Ordinance added the definitions for the terms "Deck" and "Porch" to Chapter 22.
- Ordinance No. 19-10, adopted on September 4, 2019 – This Ordinance amended the adult entertainment use conditions to require the use to be located on a State or Federal Highway and be located in the RGC District.
- Ordinance No. 19-11, adopted on September 4, 2019 – This Ordinance added tattoo parlors and body piercing establishments as a permitted principal use in the RGC District.
- Ordinance No. 19-12, adopted on September 4, 2019 – This Ordinance added "Smoke Shops" as a permitted conditional use in the RGC District. Smoke Shops were defined by this Ordinance as "a commercial establishment that, as one of its principal business purposes, offers for sale, or allows use of tobacco, cigarettes, marijuana, cigars, pipes, vapor cigarettes, hookah and all types of smoking apparatus..."
- Ordinance No. 19-16, adopted on December 18, 2019 – This Ordinance eliminated two-family dwellings as a permitted conditional use in the Borough.
- Ordinance No. 19-19, adopted on December 18, 2019, created the Affordable Housing (R-M) Zone, which changed the zone designation of Block 107, Lot 1.01 (Section 22-26).
- Ordinance No. 19-20, adopted on December 18, 2019 - This Ordinance established the Affordable Housing (R-O) Overlay Zone, which is applicable to Block 32, Lot 2 (Section 22-29).

- Ordinance No. 20-13, adopted on June 17, 2020 - This Ordinance added outdoor dining as a permitted accessory use to any eating and/or drinking establishment, subject to certain conditions and filing for an annual license (Section 22-24.20).
- Ordinance No. 21-10, adopted on May 5, 2021 – This Ordinance prohibited all six classes of cannabis establishments in the Borough, including cannabis cultivators, manufacturers, wholesalers, distributors, retailers, and delivery. Ordinance No. 21-10 also amended the definition of “Smoke Shops” to eliminate the text “marijuana”.
- Ordinance No. 21-12, adopted on June 16, 2021 – This Ordinance implemented several amendments to the Zoning Ordinance. Definitions for the terms “Lot Coverage” and “Outside Storage” were added. Additionally, modifications were made to the supplemental regulations for single- or two-family homes (Section 22-23.1) as well as to the regulations for fences and walls (Section 22-34.1).
- Ordinance No. 21-16, adopted on September 1, 2021 – This Ordinance prohibited the short-term rental of any dwelling unit and amenities of a dwelling unit such as swimming pools, saunas, yards, garages, gazebos, outdoor kitchens, and outdoor bars. It should be noted that this Ordinance added Section 17-9.2, which is located in Chapter 17 entitled “Building and Housing”.
- Ordinance No. 22-03, adopted on February 16, 2022 – This Ordinance adopted a new Zoning Map, which added the previously adopted Affordable Housing R-M and R-O Zone Districts.
- Ordinance No. 22-08, adopted on June 15, 2022 - This Ordinance added Section 22-36, which provides regulations regarding non-conforming buildings.
- Ordinance No. 23-06, adopted on April 19, 2023 – This Ordinance established regulations pertaining to the protection of steep slopes within the Borough, which are defined as “Slopes 15% or greater from the horizontal plane.”
- Ordinance No. 24-05, adopted on March 6, 2024 – This Ordinance created the Residence “I” (R-I) District (Inclusionary Multi-Family Residential District) in Section 22-22, which is applicable to Block 85, Lots 7.01, 7.02, and 13.01. The definition of the term “Townhouse, Stacked” was also added to Section 22-3. Section 22-4.1 was amended to add the R-I Zone into the list of Districts in the Borough and the Zoning Map was amended to illustrate the R-I District. The Schedule of Permitted Uses and Schedule of Bulk Zoning Requirements were also amended to include the R-I District regulations. Finally, the Schedule of Parking Requirements was amended to add “Multiple-Family Dwelling” to the “Multifamily Garden Apartment” requirement and “Stacked Townhouse” to the “Townhouse” requirement.

Stormwater Regulation

Adopted in 2005, the New Jersey Stormwater Management Program, comprised of two separate Rules (N.J.A.C. 7:8 (Municipal Stormwater Regulations) and 7:14A (New Jersey Pollutant Discharge Elimination System (“NJPDDES”) Rules) establishes a framework for addressing water quality impacts associated with existing and future stormwater discharges. As required by the N.J.A.C. 7:8-4.1, the Borough of Woodland Park has developed a “Municipal Stormwater Management Plan” which addresses stormwater-related impacts. The plan addresses groundwater recharge, stormwater quantity, and stormwater quality impacts by incorporating stormwater design and performance

standards for new major development, defined as projects that disturb one or more acres of land. Adopted most recently in May 2021, the Borough updated its stormwater management ordinance as required by the NJPDES Tier A permit. The newly adopted ordinance includes green infrastructure measures to satisfy the groundwater recharge, quantity, and quality requirements. The new ordinance provides tables of acceptable green infrastructure measures that have been approved by the NJDEP. Together with the Flood Hazard Control Act, the stormwater requirements continue to ensure that flooding is minimized in the Borough.

The Borough has complied with the 2005 rule change as follows:

- Preparing a Municipal Stormwater Management Plan – this Plan was last revised in June 2008 and will need to be updated to include the new stormwater management rules adopted in July 2023.
- Preparing a Stormwater Pollution Prevention Plan - This plan was last updated in January 2024 and will need to be updated to include the new stormwater management rules which were adopted in July 2023.
- Preparing and adopting a Stormwater Control Ordinance – this Ordinance was most recently updated on February 3, 2021 as Chapter 29-5 - Stormwater Control. The ordinance will have to be updated to conform with the model ordinance provided by the NJDEP on or before July 17, 2024.
- Obtaining a Municipal Stormwater Regulation Program (“MS4”) Permit from the State of New Jersey and addressing the Statewide Basic Requirements in that permit on a recurring basis, which includes filing an annual report with the State Department of Environmental Protection. The Statewide Basic Requirements have been addressed through adoption of model Stormwater Ordinances, and maintenance of the stormwater program in accordance with the requirements set forth in the MS4 permit annual renewal.
- Reviewing development applications for compliance with the adopted Stormwater Control Ordinance where applicable. Applications are reviewed on an on-going basis for compliance with the Stormwater Management Ordinance. The Applicant is required to comply with State requirements and obtain the required permits.¹⁹

¹⁹ Email from Joseph A. Pomante, PE of Boswell Engineering, on May 15, 2024.

V. Master Plan & Zoning Amendments

This chapter of the 2024 Reexamination looks at the specific changes that are recommended for the Master Plan and existing development standards, which includes the underlying objectives, policies, and standards. The remainder of this chapter is divided into five sections. The first section provides amended goals and objectives to guide the Master Plan and development within the Borough moving forward. The second section provides recommendations regarding future master plan elements that should be drafted and adopted. Section three conducts a review of the land use and development regulations within the Borough. The fourth section concerns new technologies and uses. Finally, section five details the year-end board reports.

Goals

This section is divided into two parts – current goals and proposed goals.

Current Goals

The 2012 Master Plan contains goals and objectives in Chapter 1 on pages 3 and 4 and are as follows:

1. To encourage development of housing types that will provide for housing for various income levels and household needs.
2. To encourage the development of appropriate commercial, industrial, employment, and recreational facilities to serve the needs of all Borough residents and to help maintain the Borough's stable tax base.
3. To preserve the residential character of Woodland Park by stabilizing existing neighborhoods and encouraging rehabilitation of the existing housing stock through the reinforcement of existing residential neighborhoods through zoning and the development of compatible land uses.
4. To conserve open space and maintain and expand existing recreational areas through appropriate zoning techniques.
5. To encourage a variety of office development within the Borough, respecting surrounding conditions and access to regional arteries.
6. To ensure the highest quality of development opportunities for Woodland Park through the reevaluation of existing development controls regarding design standards, coverage and density of various land uses, as well as, zoning designations for various land uses.
7. To revise the zoning ordinance to reflect current planning tenets and zoning regulations, including green building and site design standards, to ensure the highest quality of development opportunities for Woodland Park.
8. To encourage professional office development in the context of mixed-use development to create a more walk-able, livable community.
9. To redefine the industrial zone to allow compatible commercial uses to ensure the vitality of the industrial area in the Borough.

10. To provide for control and balance between the multi-family residential environment and the single-family home neighborhoods.
11. To design support related neighborhood commercial development that emphasizes local business/office/commercial needs.
12. To introduce very low density single family residential zoning on vacant/developable, highly constrained land areas.
13. To encourage mixed-use development in appropriate areas to contribute to a creation of a downtown while providing affordable (workforce) housing in conformance with the Fair Housing Act.
14. To provide infrastructure with developer assistance in areas lacking such facilities.
15. Encourage transit-oriented development.
16. Encourage carpooling and more connections to public transit.
17. Alleviate parking congestion through the prohibition of conversions of existing single-family homes to two- or more families.
18. Incorporate green building and site design techniques into the zoning ordinance to promote a sustainable environment.
19. Promote a more compact mixed-use type of land use pattern in areas with existing infrastructure and density and preserve open space also to promote a sustainable environment.
20. Incorporate a green buildings and environmental sustainability element into the Master Plan.



Photo 4 – Existing single-family neighborhood

Proposed Goals

The goals listed above were established over 12 years ago in the [2012 Master Plan](#). This office met with the Master Plan Reexamination Sub-committee on April 9, 2024 to evaluate the existing goals and determine if any new goals are needed to guide future development in Woodland Park. The Sub-committee determined that some goals have been met and should be removed, while others need to be revised and/or eliminated. Additionally, the Sub-committee recommended new goals be

added. The list below provides the goals for the Borough of Woodland Park with new text underlined and any removed text in ~~strikeout~~.

- ~~1. To encourage development of housing types that will provide for housing for various income levels and household needs.~~
- ~~1.2.~~ To encourage the development of appropriate commercial, industrial, employment, and recreational facilities to serve the needs of all Borough residents and to help maintain the Borough's stable tax base.
- ~~2.3.~~ To preserve the existing residential character of Woodland Park's single-family neighborhoods by ~~stabilizing existing neighborhoods and~~ encouraging rehabilitation of the existing housing stock, prohibiting subdivisions that are less than 85% of the require lot size, and precluding the intrusion of more intense residential development through the reinforcement of existing residential neighborhoods through zoning and the development of compatible land uses.
- ~~3.4.~~ To conserve open space and maintain and expand existing recreational areas through strategic acquisitions and park enhancements. ~~appropriate zoning techniques.~~
- ~~5. To encourage a variety of office development within the Borough, respecting surrounding conditions and access to regional arteries.~~
- ~~4.6.~~ To ensure the highest quality of development opportunities for Woodland Park through the reevaluation of existing development controls regarding design standards, coverage and density of various land uses, as well as, zoning designations for various land uses.
- ~~5.7.~~ To revise the zoning ordinance to reflect current planning tenets and zoning regulations, including green building and site design standards, to ensure the highest quality of development opportunities for Woodland Park.
- ~~8. To encourage professional office development in the context of mixed use development to create a more walk-able, livable community.~~
- ~~9. To redefine the industrial zone to allow compatible commercial uses to ensure the vitality of the industrial area in the Borough.~~
- ~~10. To provide for control and balance between the multi-family residential environment and the single-family home neighborhoods.~~
- ~~11. To design support related neighborhood commercial development that emphasizes local business/office/commercial needs.~~
- ~~12. To introduce very low density single family residential zoning on vacant/developable, highly constrained land areas.~~
- ~~6.13.~~ To encourage mixed-use development in the CBD Zone ~~appropriate areas~~ to contribute to a creation of a downtown while providing opportunities for affordable (workforce) housing in conformance with the Fair Housing Act.
- ~~14. To provide infrastructure with developer assistance in areas lacking such facilities.~~

7.15. Support alternative modes of transportation, while implementing pedestrian facilities, including sidewalks, crosswalks, and traffic calming techniques. Encourage transit-oriented development.

8.16. Encourage carpooling and more connections to public transit.

9.17. Alleviate parking congestion through the prohibition of conversions of existing single-family homes to two- or more families.

10.18. Incorporate green building and site design techniques into the zoning ordinance to promote a sustainable environment.

19. Promote a more compact mixed-use type of land use pattern in areas with existing infrastructure and density and preserve open space also to promote a sustainable environment.

20. Incorporate a green buildings and environmental sustainability element into the Master Plan.

11. Strive to support and retain the Borough's existing non-residential uses to offer employment opportunities and proximate shops and services.



Photo 5 – Pedestrian amenities along McBride Avenue

Master Plan Elements

This section of the 2024 Reexamination makes suggestions for master plan elements that should be drafted and adopted over the next ten years. This topic was discussed at the Master Plan Reexamination Sub-committee meeting on April 9, 2024. The Sub-committee recommended a Circulation Plan Element be prepared.

Circulation Plan Element

A Circulation Plan Element shows the location and types of facilities for all modes of transportation required for the efficient movement of people and goods. The report identifies existing issues, strategies for improvements, and can even conduct walking and/or cycling assessments. The Borough's 2012 Master Plan included a Circulation Plan Element, which details the existing transportation facilities in the Borough, including roadways, passenger rail service, and bus service. A roadway resurfacing plan through 2020, pedestrian and bicycle circulation improvements, and implementing a complete streets policy are also discussed in the document. However, as the Borough and surrounding communities continue to grow, develop, and/or redevelop, traffic and

circulation within the Borough should be reevaluated to identify any deficiencies in traffic flow and provide recommendations to alleviate any problem areas.

Land Use & Development Review

The MLUL requires a review of the community's development regulations. This office has performed a cursory review of the regulations in Chapter 22, entitled "Zoning" within the Borough's Code. The assessment looked for inconsistencies between sections, outdated terms, missing definitions, etc. The review resulted in a memorandum dated November 15, 2023 addressed to the Master Plan Reexamination Sub-Committee. The memorandum was discussed with the Sub-committee at a meeting held on April 9, 2024 and feedback was provided.

The Borough has reviewed Chapter 22 and finds that the regulations and standards contained in Chapter 22 are, except for the items outlined below, adequate, and suitable. The following recommendations are made:

General

1. The Ordinance refers to the coverage of a lot by impervious surfaces as "lot coverage" as well as "impervious coverage". For example, the Schedule of Bulk Zoning Requirements provides a "lot coverage" requirement. However, the MXD District regulations (Section 22-21.1a.5.(d)), conditions for houses of worship (Section 22-24.2f.), bulk requirements for the R-M Zone (Section 22-6.4f), and R-O Overlay Zone (Section 22-29.4f) provide an "impervious coverage" requirement. The Ordinance should be amended to be consistent throughout.
2. The Ordinance does not provide standards for trash and recycling enclosures such as location, screening, enclosure materials, etc. (except in the CBD). The Sub-committee recommends establishing standards to regulate trash and recycling enclosures in the multi-family and non-residential districts. Standards could include location, setbacks from property lines, enclosure materials (fenced or masonry), and landscape screening.
3. The Sub-committee discussed the implementation of the New Jersey Department of Community Affairs' model ordinance, which was published on September 1, 2021. Municipalities may make changes to the section entitled "reasonable standards" through the normal municipal ordinance process but are not permitted to change other parts of the model ordinance. The Sub-committee wishes to adopt the model ordinance. However, the Sub-committee recommends the prohibition of charging stations and make-ready parking under multi-family or non-residential buildings.

Section 22-3 – Definitions

1. The Ordinance defines the term "Multi-Family Garden Apartment". However, throughout the Ordinance, such as the Schedule of Permitted Uses and Supplemental Uses (Section 22-23.2), the code simply states, "Garden Apartments". The definition should be amended to be "Garden Apartment" for consistency.
2. Similarly, the Ordinance defines the term "Multiple-Family Dwelling", while the remainder of the code refers to it as "Multi-Family Dwelling". "Multiple-Family Dwelling" should be used throughout the code.

3. The Schedule of Permitted Uses permits “garden-style homes” and “villas” in the Residence “G” (“R-G”) and Residence “H” (“R-H”) Districts. However, these terms are not defined. The Ordinance should be amended to add these definitions.

4. The Schedule of Permitted Uses permits “municipal buildings” in many of the Borough’s Districts. However, this term is not defined. The Ordinance should be amended to define municipal buildings.

5. Essential Services are permitted conditional uses in the CBD. However, this term is not defined. The Ordinance should be amended to define “essential services”.

6. Personal service uses are permitted in the Neighborhood Commercial (“NC”) and Regional Commercial (“RGC”) Districts. The Ordinance defines “service use”. The Sub-committee recommends revising the defined term to “Personal service use”.



Photo 6 – Industrial uses in the AIR District

7. The NC District permits “commercial schools”, which is not defined. Section 22-3 should be amended to provide a definition for this use.

8. The AIR District permits “light industrial and manufacturing uses”. Section 22-3 includes definitions for “Industrial Use” and “Manufacturing Use”. However, it is unclear if “Light” is a different use than defined. The definitions should be amended to clarify.

9. Cafes are a permitted accessory use in the AIR District. However, this term is not defined by the Ordinance. Section 22-3 should be amended to include a definition of “cafeteria” and the AIR District should be amended to change “café” to “cafeteria”.

10. The Ordinance includes a definition of “Impervious/Lot Coverage” and “Lot Coverage”. The definitions are not the same. The Ordinance should be revised to provide a single definition of either “Lot Coverage” or “Impervious Coverage”. (Note that the Schedule of Bulk Zoning Requirements has a “Lot Coverage” column, not impervious coverage.)

Section 22-4.1 – Zone Districts

1. This section lists the 19 Districts within the Borough of Woodland Park. The Ordinance, Zoning Map, Schedule of Permitted Uses, and Schedule of Bulk Requirements, often refer to the Districts by abbreviations. For example, the Mid-Rise Office District is abbreviated as

“MO”. However, the Residence Districts do not have an abbreviation in Section 22-4.1. For clarity and consistency, this section should be amended to provide the abbreviations for each district that are consistent with Ordinance, Zoning Map, and Schedules.

Section 22-4.4 – Schedule of Permitted Uses (Attachment 2)

1. The “Zone” column of the Schedule provides conflicting information from the Zone District identifications provided in Section 22-4.1. For example, the Schedule states “R-A (1/2 acre)”, while Section 22-4.1 states “Residence “A” District”. Additionally, the “Senior Citizen District” should be “Senior Citizen Residential District”. The Schedule should be amended to provide the names and/or abbreviations as listed in Section 22-4.1 for consistency.
2. The Schedule does not include rows for the Affordable Housing (R-M) Zone or the Affordable Housing (R-O) Overlay Zone. These zones should be added to the Schedule and reference Section 22-26 for the R-M Zone and 22-29 for the R-O Overlay Zone, similar to how the Mixed-Use Development Zone is detailed.
3. The CBD Zone includes “Sit-down or fast casual restaurants (eating and drinking establishments)” as a permitted use. However, in other Districts, such as the NC and RGC Districts, these are listed separately as “Restaurant – fast-casual” and “Restaurant, sit-down”. The CBD uses should be updated to be consistent with other Districts.
4. Section 22-24.18 permits smoke shops as a conditional use in the RGC District. However, this use is not listed in the Schedule of Permitted Uses. The Schedule should be revised to add this as a conditional use in the RGC District.
5. Section 22-25 provides requirements for solar energy systems, which are noted to be accessory uses. However, the Schedule lists “solar panels” as accessory uses, not “solar energy systems”. The Schedule should be amended to eliminate this discrepancy and list “solar energy systems” as a permitted accessory use. Additionally, Section 22-25 should be clarified to note that solar energy systems shall be roof mounted unless installed over an existing parking lot.

Section 22-4.5 – Schedule of Bulk Zoning Requirements (Attachment 3)

1. The “Zone” column of the Schedule provides conflicting information from the Zone District identifications provided in Section 22-4.1. For example, the Schedule states “Senior Citizen Multi-Family Housing”, while Section 22-4.1 states “Senior Citizen Residential District”. The Schedule should be amended to provide the names and/or abbreviations as listed in Section 22-4.1 for consistency.
2. Similar to the Schedule of Permitted Uses, this Schedule does not include rows for the Affordable Housing (R-M) Zone or the Affordable Housing (R-O) Overlay Zone. These zones should be added to the Schedule and reference Section 22-26 for the R-M Zone and 22-29 for the R-O Overlay Zone.
3. There is an asterisk next to “MXD” at the end of the Schedule. However, there is no footnote for an asterisk. The Sub-committee recommends eliminating the asterisk next to “MXD”.

Section 22-4.6 – Schedule of Parking Requirements

1. The Schedule provides a parking requirement for banquet halls, accessory restaurants, and catering facilities. While banquet halls are permitted in hotels in certain Districts and accessory restaurants are permitted in the Mixed-Use Development (“MXD”) District, catering facilities are not specifically noted as a permitted principal, conditional, or accessory use in any of the Borough’s Districts. If this is not a permitted use, the table should be revised to delete the reference to catering facility.
2. The Schedule provides parking requirements for mini-golf and driving ranges. However, these uses are not noted as a permitted principal, conditional, or accessory uses in any of the Borough’s Districts. Since these uses are not permitted, the table should be revised to eliminate the use and its associated parking requirement.
3. The Schedule includes a parking requirement for “commercial schools – adult”, which is not a permitted use in the Borough’s Districts (note that “commercial schools” is in the list of permitted uses). This requirement should be removed from the Schedule.
4. The Schedule includes a parking requirement for clinic (same day, surgery, dialysis, etc.), which is not a permitted use in the Borough’s Districts. This requirement should be removed from the Schedule.
5. The Schedule does not appear to provide a parking requirement for specialized training centers, which are permitted uses in the CBD District. This use seems similar to sports clubs and could be added to that line item.
6. The Schedule contains a parking requirement for houses of worship of one space per four seats. However, many houses of worship are moving to a more flexible facility and in many instances no longer have fixed seating. The Sub-committee recommends modifying the parking requirement to one space for every two people based on the maximum permitted fire occupancy.

Section 22-9 – Residence “E” District

1. The Residence “E” District is primarily a zone of townhomes; however, the Schedule of Permitted Uses also allows single-family dwellings. The Schedule of Bulk Zoning Requirements does not provide standards for single-family dwellings. For example, the minimum lot size for the zone is 15 acres. This renders every existing single-family home in the zone non-conforming. Therefore, it is recommended that the Ordinance be amended to utilize the bulk standards for the Residence “C” zone for the single-family homes permitted in the Residence “E” District.

Section 22-10 – Residence “F” District

1. The Residence “F” District permits townhouses and single-family homes. The Schedule of Bulk Zoning Requirements does not provide standards for single-family dwellings. For example, the minimum lot size for the zone is 15 acres. This renders every existing single-family home in the zone non-conforming. Therefore, it is recommended that the Ordinance be amended to utilize the bulk standards for the Residence “C” zone for the single-family homes permitted in the Residence “F” District.

Section 22-15.2 – CBD Purpose

1. The purpose for the CBD District includes the phrase “dense urban development”. The Sub-committee recommends this phrase be removed as it is not consistent with the Proposed Goals of the Master Plan.

Section 22-15.11 – CBD Parking

1. Subsection b. requires a ten-foot-wide landscaped buffer for parking abutting a residential use. However, there is no detail on what is required to be planted in said buffer area. A developer could claim ground cover is a landscaped buffer, which would not meet the intent of this requirement. This subsection should be revised to provide landscaping requirements for the buffer area, such as a minimum six-foot-tall evergreens screen.
2. Subsection e. allows a payment-in-lieu of parking if parking spaces are found off-site according to a parking proximity. The Master Plan Reexamination Sub-committee recommends eliminating this subsection from the Ordinance.
3. Similarly, Subsection f. allows a payment-in-lieu of parking. However, the amount differs from the amount in Subsection e. The Sub-committee recommends eliminating this subsection from the Ordinance.



Photo 7 – 1108 McBride Avenue's Board application revealed the payment-in-lieu parking issues

Section 22-20 – AIR Industrial Adaptive Reuse District

1. The Master Plan Reexamination Sub-committee expressed interest in permitting micro-breweries, wineries, and distilleries in the Industrial Adaptive Reuse (AIR) District due to the surge of interest in craft beverages (e.g. beer, wine, and spirits). This type of use would be consistent with the character of the AIR District, which permits light industrial, manufacturing, warehousing, workshops, etc. These uses could also include a tasting room, which offers samples of beer, wine, or spirits as well as sales of such products. The addition of these uses would also necessitate the addition of a parking standard to the Zoning Ordinance.

Section 22-21 – MXD Mixed-Use Development District

1. Section 22-21.1a.5.(g) provides parking requirements for the uses permitted in the MXD District. However, the Schedule of Parking Requirements provides requirements for each of these uses. Some requirements such as the one for CCRC/Assisted Living/Nursing Homes

differs between the Ordinance sections (0.5 spaces per bed in Section 22-21.1a.5.(g)(6) and 0.5 spaces per bed for nursing homes and assisted living and 1.3 spaces per bed for CCRC in the Schedule.) The Ordinance should be amended to refer to the Schedule of Parking Requirements to avoid any confusion.

2. The Borough wishes to delete postsecondary educational facilities as a permitted use in this zone.
3. It should be noted that substantial revisions to the MXD District in conjunction with the pending affordable housing litigation are anticipated.

Section 22-23.1 – Single- or Two-Family Homes: Supplemental Regulations

1. Subsection a.3. refers to accessory structures in a business or industrial district and Subsection a.4. refers to accessory structures in a business district. Subsection a.6. has similar references. The limitations applicable to accessory structures in business and/or industrial districts should be moved to a section regulating non-residential districts.

Section 22-23.2 – Garden Apartments: Supplemental Regulations

1. Subsection a. refers to a minimum open space between buildings. The Sub-committee recommends specifying that only grass and landscaping are permitted in the open space between buildings.
2. Subsection b. only permits one- and two-bedroom apartments. However, if a development is required to provide affordable housing units, UHAC requires a percentage of those affordable units to be three-bedroom units. The Ordinance should be amended to provide an exception for bedrooms in affordable units.
3. Subsection c. indicates accessory buildings have a ten-foot setback. This section should be amended to specify the ten-foot setback is to be measured from property lines.

Section 22-23.3 – Townhouses in the R-E District: Supplemental Regulations

1. Subsection c. indicates an accessory structure must have a setback of 10 feet from any townhouse structure, but it is unclear if accessory structures have any setback requirements to property or tract lines. The Sub-committee recommends amending the Ordinance to add a five-foot setback from property lines to an accessory structure.

Section 22-23.5 – R-G Age-Restricted Adult Residential: Supplemental Regulations

1. Subsection b.1. provides distances between buildings and includes a column for up to three story buildings and a column for four story buildings. The “garage face to back of sidewalk or curb” includes a distance for up to three story buildings, but the distance for four story buildings is not provided. The Ordinance should be amended to provide a distance requirement or note it is not applicable for four story buildings.
2. Subsection g.1. discusses date of effect. However, COAH reviewed and approved the Borough’s plan on December 1, 1999. Therefore, this section of the Ordinance should be deleted.

Section 22-23.6 – R-H Inclusionary Multi-Family Housing: Supplemental Regulations

1. Similar to the distance between buildings the R-G District, Subsection b.1. does not provide a requirement for the “distance from the garage face to back of sidewalk curb” for four and one-half story buildings. The Ordinance should be amended to provide a distance requirement or note it as not applicable for four and one-half story buildings.
2. Subsection d.7. requires parking lots to be landscaped but provides no specifications. The Sub-Committee recommends requiring shade trees to be planted in the parking area, mandating at least 10% of parking areas be landscaped, and requiring the perimeter be planted with evergreen shrubs.
3. Subsection g.1. discusses date of effect. However, COAH reviewed and approved the Borough’s plan on December 1, 1999. Therefore, this section of the Ordinance should be deleted.
4. This section requires other amendments regarding the affordable housing regulations, which will be handled as part of the affordable housing litigation.

Section 22-24.8 – Rooming/Boarding House and Section 22-24.11 – Community Residences

1. Rooming house is defined as a boarding house wherein no personal or financial services are provided to the residents. Section 22-24.8 regulates homes with more than six developmentally disabled persons and more than six persons living in a community shelter for victims of domestic violence. Section 22-24.11 concerns community residences housing more than six persons for victims of domestic violence. The MLUL regulates community residences (NJSA 40:55-66.1) and they are a permitted use in all residential districts of a municipality without any conditions. The definition does limit the facility to 15 persons. It is recommended that the Borough consult with the Borough Attorney regarding these uses.

Section 22-24.12 – Public Garages and Motor Vehicle Service Stations

1. This section includes conditions for public garages and motor vehicle service stations. However, these uses are not noted as a permitted principal, conditional, or accessory uses in the Schedule of Permitted Uses. The Sub-committee recommends public garages and motor vehicle service stations be permitted as conditional uses in the AIR District only. The Schedule of Permitted Uses should be amended to add these uses as conditional uses in the AIR District.

Section 22-24.13 – Convenience Store with Gas

1. This section requires only a four-foot-tall fence when the use is next to a residence. The Sub-committee recommends increasing this to a six-foot-tall fence to provide better screening between the uses.

Section 22-24.20 – Outdoor Dining

1. Subsection b. permits outdoor dining as an accessory use to any eating and/or drinking establishment. However, the Schedule of Permitted Uses permits outdoor dining as a conditional use in the CBD District only. The Sub-committee recommends amending the Schedule of Permitted Uses to specify outdoor dining is a permitted conditional use in all

districts where restaurants are permitted. Additionally, Section 22-24.20b should be revised to clarify outdoor dining is a conditional use, not an accessory use.

Section 22-26 – Affordable Housing R-M Zone

1. This section requires review pursuant to the affordable housing litigation and will be handled as part of that process.

Section 22-29 – Affordable Housing R-O Overlay Zone

1. This section requires review pursuant to the affordable housing litigation and will be handled as part of that process.

Section 22-32 – Site Plan and Design Standards

1. The Sub-committee recommends amending the Ordinance to add architectural design standards for all development. Suggested standards include high-quality building materials, muted colors such as black, white, and earth tones, and horizontal and vertical projections and recesses on longer building walls.

Section 22-33 – Landscaping and Screening

1. Subsection 1b.4 requires evergreen trees to be planted at a height of four feet and deciduous trees to be planted with a caliper of at least two inches. To provide additional screening and buffering, the height of evergreen trees should be increased to six feet and the caliper of deciduous trees should be increased to 2.5 inches.
2. This section appears to only provide requirements for landscaping within required buffers. If this is the case, landscaping outside buffer areas would not be subject to these requirements. This Sub-committee recommends requiring a mixture of shrubs and evergreen trees to protect residential uses from light, noise, and other nuisances associated with non-residential uses. The Sub-committee also recommends the following requirements be added to the Ordinance:
 - Minimum planting heights – two to three feet for shrubs, six feet for evergreen trees, and 2.5-inch caliper for deciduous trees.
 - Parking lot landscaping – could be either one landscaped island per defined number of spaces (1 island per ten spaces) or a percentage of the parking area size, with specific planting standards.
 - Screening of parking and/or loading areas, mechanical equipment, trash enclosures, etc.

Section 22-42 – Signs

1. Section 22-42.2 includes the definitions relevant to the Borough's Sign Ordinance. Section 22-42.7a permits real estate signs in residential zones. While this section defines a real estate sign, the definition should be added to Section 22-42.2.
2. Sections 22-42.9b (CBD District), 22-42.10b (NC and AIR Districts), 22-42.11a (RGC District), 22-42.12c (MO District), and 22-42.13 (HO District) permit "wall-mounted" or "wall" signs. However, Section 22-42.2 does not provide a definition for a wall or wall-mounted sign. Section 22-42.2 does define "box sign" (subsection h) and "individual letter sign" (subsection

i), which appear to be types of wall signs. The Sub-committee recommends eliminating the box sign and individual letter sign definitions and adding a new definition for “wall signs” to encompass all signs mounted on a vertical face.

3. Sections 22-42.9g (CBD District) and 22-42.11f (RGC District) permit perpendicular hanging signs. However, Section 22-42.2 does not provide a definition for this type of sign. The Ordinance should be amended to add a definition. (Note that Section 22-42j defines a projecting sign, which appears to be a perpendicular sign affixed to a wall.)
4. Sections 22-42.9j (CBD District) and 22-42.11i do not permit monument signs. Additionally, Sections 42.10a and 22-42.10g.1 (NC and AIR Districts), Section 22-42.11h.1 (RGC District), 22-42.12b (MO District), and 22-42.13b (HO District) permit “free-standing” or “freestanding monument” signs. The Ordinance does not provide definitions for any of these sign types. The Ordinance should be amended to provide definitions of each and clearly distinguish the difference between monument and freestanding signs.
5. Sections 22-42.12d (MO District) and 22-42.13d (HO District) permit directional signs for wayfinding. However, “directional sign” is not defined in Section 22-42.2. The Ordinance should be amended to add a definition. Additionally, Sections 22-42.12d and 22-42.13d should be revised, as necessary, to include a maximum permitted directional sign size and to prohibit commercial messaging (such as logos or business names) on directional signs.
6. The Sub-committee recommends amending Section 22-42.5, “General Prohibitions”, to prohibit “feather flag” signs and sidewalk signs, which are sometimes referred to as sandwich signs or A frame signs.
7. The Sub-committee recommends amending Section 22-42.5 to prohibit perimeter lighting around windows.

New Technologies & Uses

There are four new technologies and/or uses that have emerged since the [2009 Reexamination](#). They include wind, short-term house rentals, back yard rentals, and cannabis. These topics are examined in the following sections.

Solar

The Zoning Ordinance permits roof- and ground-mounted solar energy systems in several Districts as accessory uses. Their regulations are provided in Section 22-25, entitled “Solar Energy Systems”. The Sub-committee reviewed the Borough’s regulations regarding solar energy systems and made the following recommendations:

1. Rooftop solar systems should be a permitted accessory use in all Borough districts. The Schedule of Permitted Uses should be revised to include “Rooftop solar systems” as a permitted accessory use in all districts. It should be noted that the Schedule lists “solar panels” as a permitted accessory use in some districts, such as the R-A, R-D, and CBD Districts. The Schedule should be amended to state “rooftop solar systems”, not “solar panels.”
2. The Ordinance should be amended to prohibit ground-mount solar panel systems over pervious surfaces such as lawns, landscaping, dirt, etc. However, ground-mount systems

above parking lots, commonly known as “solar carports” should be permitted in all non-residential districts.

Wind

The Zoning Ordinance is silent on wind energy systems. The Sub-committee determined wind energy systems are not a viable accessory use in the Borough due to potential impacts to residential uses in Woodland Park.

Short-Term House Rentals and Back Yard Rentals

The Borough recently adopted Ordinance No. 21-16 on September 1, 2021, which established Section 17-9 entitled “Short Term Rental Housing” in the “Building and Housing” chapter of the Code. This Ordinance prohibits the short-term rental of any dwelling unit and amenities of a dwelling unit such as swimming pools, saunas, yards, garages, gazebos, outdoor kitchens, and outdoor bars. Section 17-9.2a specifies a rental shall not be less than a period of 90 days. No further action is recommended.

Cannabis

All classes of cannabis were prohibited via Ordinance No. 21-10. No further action is recommended.

Year-End Zoning Board Reports

To determine if there has been a pattern in the types of variance relief granted, we requested year-end Board of Adjustment and Planning Board reports for the last ten years. In response, the Board Secretary provided a summary of all Board Applications from the past five years (2019 through 2023), which detailed 22 applications, including approved and denied applications. Note that only one application was denied. It should be noted that only a few application summaries specified the type of relief granted (e.g., front yard setback, side yard setback, etc.), and none of the summaries specified the deviation. Additionally, in most cases, the District in which the subject property of the Application was not specified.

Based on a review of the application summaries between 2019 and 2023, there is no clear pattern of variances approved by either Board.

VI. Redevelopment Plan Recommendations

The Borough of Woodland Park does not have any areas in need of redevelopment according to the Zoning Map and Zoning Ordinance (Chapter 22) found on the Borough's eCode360 page.²⁰ The Planning Board does not recommend any areas of Woodland Park to be studied as an area in need of rehabilitation or redevelopment at this time.

²⁰ Information sourced from <https://ecode360.com/34550493#34550493>, accessed April 18, 2024.

VII. Electric Vehicle Recommendations

The Borough does not currently have any public electrical vehicle charging infrastructure. However, Woodland Park recognizes the recently adopted legislation that requires certain types of development applications filed after July 9, 2021 to include charging stations and/or make-ready parking spaces. Furthermore, the new law made charging stations a permitted accessory use in all districts, regardless of the local zoning ordinance. The law also requires a model ordinance to be developed and published by the New Jersey Department of Community Affairs ("NJDCA"), which upon publication would become effective in each municipality. The model ordinance was published by NJDCA on September 1, 2021. Municipalities may make changes to the section entitled "reasonable standards" through the normal municipal ordinance process but are not permitted to change other parts of the model ordinance. The Sub-committee has reviewed the model ordinance and recommends incorporating the ordinance into the Chapter 22. However, the Sub-committee recommends prohibiting charging stations and/or make-ready parking spaces in parking areas under multi-family and non-residential buildings.