2019 AUG -8 P 12: 35

Master Plan Reexamination Report

Township of Washington
Bergen County, New Jersey

Prepared:
August 7, 2019

Prepared for:
Township of Washington Planning Board

Prepared by:

T&M Associates
11 Tindall Road
Middletown, NJ 07748

Adopted on July 31, 2019 by the Township of Washington Planning Board.

The original of this document has been signed and sealed in accordance with New Jersey Law.

Jeffrey Cucinotta, PP, AICP
NJ Professional Planner No.: 33LI00634000

Stan Slachetka, PP, AICP
NJ Professional Planner No.: LI-03508

RESOLUTION OF THE TOWNSHIP OF WASHINGTON
PLANNING BOARD APPROVING THE 2019 GENERAL
REEXAMINATION OF THE MASTER PLAN PURSUANT TO
NEW JERSEY STATUTE 40:55D-89

WHEREAS, New Jersey Statute 40:55D-89 requires a reexamination of the Master Plan once at least every ten (10) years and states, in part:

> The governing body shall, at least every 10 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 the County Planning Board. A notice that the report and resolution have been prepared shall be sent to the Municipal Clerk of each adjoining municipality, who may request a copy of the report and resolution on behalf of the municipality. A reexamination shall be completed at least once every 10 years from the previous examination; and

WHEREAS, the Planning Board has conducted a reexamination of the Master Plan and does hereby adopt said reexamination and recommendations as stated in the July 17, 2019 report prepared in conjunction with the Planning Board by Jeffrey Cucinotta, P.P., A.I.C.P of T&M Associates, located at 11 Tindall Road, Middletown, New Jersey as amended on the record at the hearing and as set forth in an amended report by Jeffrey Cucinotta, P.P., A.I.C.P of T&M Associates dated August 7, 2019; and

WHEREAS, a public hearing was held on July 31, 2019; and

WHEREAS, the Planning Board has complied with all the requirements of the law pertaining to notices, publications, etc.; and

WHEREAS, the General Reexamination of the Master Plan Pursuant to New Jersey Statute 40:55D-89 as memorialized in the July 17, 2019 report is approved by the Township of Washington Planning Board.

NOW THEREFORE, BE IT RESOLVED by the Township of Washington Planning Board that it does hereby approve the General Reexamination of the Master Plan Pursuant to New Jersey Statute 40:55D-89 as memorialized in the July 17, 2019 report and as set forth in an amended report by Jeffrey Cucinotta, P.P., A.I.C.P of T&M Associates dated August 7, 2019.

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the Township of Washington Clerk, Clerk of adjoining municipalities, Office of Planning Advocacy, County Planning Board, Borough Construction Official, Township of Washington Tax Assessor, and the Township of Washington Zoning Officer.

Township of Washington Planning Board

BY: _____
BRIAN MURPHY, Chairman

Attest:
_____
BARBARA COLEMAN, Secretary

ROLL CALL VOTE

Those in Favor Pinnick, Scudieri, Sears, Cumming, Calamari, Murphy.

Those Opposed —

Those Abstained TORO, Vinagre

CERTIFICATION

Certified to be a true copy of the Resolution adopted by the Planning Board of the Township of Washington at its meeting on August 7, 2019.

Barbara Coleman

BARBARA COLEMAN, Secretary

Acknowledgements

Planning Board

Brian Murphy, Chairman
Thomas Sears, Vice Chairman
Peter Calamari, Mayor
Arthur Cumming, Councilman
Vincent Vinagre
Bernard Golick
Thomas E. Pinnick
Leonard Sabino
Daniel Scudieri

Barbara Coleman, Board Secretary
Louis J. Lamatina, Esq., Board Attorney
Paul Azzolina, Board Engineer

T&M Project Team

Jeffrey Cucinotta, PP, AICP
Stan Slachetka, PP, AICP

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I. Introduction

The New Jersey Municipal Land Use Law (MLUL) requires that each municipality in New Jersey undertake a review and reexamination of its local Master Plan at least once every ten years. The purpose of the Reexamination Report is to review and evaluate the master plan and municipal development regulations on a regular basis in order to determine the need for updates and revisions. The Reexamination Report also is intended to review the progress of the municipality in achieving its planning objectives and to consider the need for changes in order to ensure that the master plan is current and meets the needs of the municipality. In addition, the preparation of a statutorily compliant Reexamination Report provides a presumption of validity of the municipal zoning ordinance under the law.

The Township of Washington adopted its master plan reexamination report in 2006. That report served as an amendment to the 1976 Revised Master Plan and updated the goals and objectives presented in that Plan.

The municipal Planning Board is responsible for completing the reexamination, as well as preparing and adopting by resolution and report on the findings of the reexamination. This report serves as the 2019 Master Plan Reexamination Report for the Township of Washington as required by the MLUL N.J.S.A. (40:55D-89).

The MLUL requires that the reexamination report describe 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 assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county, and municipal policies and objectives.
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 regulation 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.

The 2019 Master Plan Reexamination Report addresses each of these statutory requirements.

II. Major Problems and Objectives Relating to Land Development in the Township of Washington at the Time of the Adoption of the Last Reexamination Report

The goals and objectives of the 2006 Master Plan Reexamination Report are outlined below.

Goal

Maintain the quiet, single-family, residential, suburban community character, with community-oriented services and facilities.

Objectives

1. Maintain and preserve residential neighborhoods through neighborhood planning principles such as provision of neighborhood facilities and routing through-traffic around residential neighborhoods.
2. Provide community facilities, including schools, parks, playgrounds, the library, the fire station, and other municipal buildings, to sufficiently serve the Township's residents.
3. Provide adequate community services for the residents, including police and fire protection, street cleaning, snow removal, garbage disposal, health services, recreational programs, sewerage and water supply.
4. Provide adequate community services for those aged 65 years or greater, including enhanced transportation options and activity programming.
5. Provide a sufficient amount of housing opportunities for those aged 65 years or greater.
6. Continue to implement the Township's Housing Element and Fair Share Plan.
7. Preserve and enhance the quality of the environment.
8. Provide for the safe and efficient movement of people and goods throughout the community.
9. Maintain the quality of housing and non-residential buildings in regard to safety, health and appearance through administering and implementing the current property maintenance code and design review by the Planning Board.
10. Encourage good design, amenity and proper landscaping in new and rehabilitated buildings.
11. Preserve open space and limit impervious surface coverage.
12. Protect and enhance the open spaces around the private lake area through appropriate application of current Township and State regulations.
13. Conduct the Township's planning program within the framework of a regional setting and remain fully cognizant of the needs and rights of the adjoining municipalities and of Bergen County.
14. Encourage storm water management controls for all new developments.
15. Promote the conservation of energy through the use of planning practices designed to reduce energy consumption and to provide the maximum utilization of renewable energy sources.

16. Encourage citizen and business participation in the planning process.
17. Promote the maximum practicable recovery of recycling or recyclable materials from the municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.
18. Maintain the Township's existing, balanced land use pattern by strictly adhering to the land use designations provided for each zone district in Chapter 245 of the Code of the Township of Washington and the Township Land Use Plan map, which is included in the 2006 Master Plan Reexamination Report. In particular, commercial uses should be limited to the existing Class "C" Retail Business Area.
19. Develop and adopt proper ordinance standards for the limitation of impervious surface coverage.
20. Maintain the Township's aesthetic appeal by passing an ordinance for the preservation and protection of its trees.
21. Extend Gorga Place to allow for the residential subdivision of properties located within Blocks 1101 and 1201.
22. Improve the economic viability and aesthetic appeal of the Township's Retail Business zone district through the development of design standards for new development and the improvement of existing business uses.

III. Extent to Which Such Problems and Objectives Have Been Reduced or Increased

Since the last master plan reexamination report, some Township policies have substantially changed, while others have only changed slightly or have not changed at all. As part of this master plan reexamination report, the Township has assessed its goals and objectives, and has identified the extent to which each has changed since the last master plan reexamination report. In the sub-sections below, each of the former goals and objectives are listed, with commentary as to how each has changed in ***bold italics*** beneath each of them.

Goal

Maintain the quiet, single-family, residential, suburban community character, with community-oriented services and facilities.
No change.

Objectives

1. Maintain and preserve residential neighborhoods through neighborhood planning principles such as provision of neighborhood facilities and routing through-traffic around residential neighborhoods.
   No change.

2. Provide community facilities, including schools, parks, playgrounds, the library, the fire station, and other municipal buildings, to sufficiently serve the Township's residents.
   Provide community facilities, including schools, parks, playgrounds, the library, the fire station, the senior center, and other municipal buildings, to sufficiently serve the Township's residents.

3. Provide adequate community services for the residents, including police and fire protection, street cleaning, snow removal, garbage disposal, health services, recreational programs, sewerage and water supply.
   No change.

4. Provide adequate community services for those aged 65 years or greater, including enhanced transportation options and activity programming.
   Provide adequate community services for those aged 65 years or greater, including enhanced transportation options such as senior bus routes, and activity programming.

5. Provide a sufficient amount of housing opportunities for those aged 65 years or greater.

Encourage land use policies that provide a realistic development potential for age-restricted developments.

6. Continue to implement the Township's Housing Element and Fair Share Plan.
   No change.

7. Preserve and enhance the quality of the environment.
   Preserve and enhance the quality of the environment through green initiatives such as emphasizing the importance of the Township of Washington Green Team, tree risk management, and other relevant endeavors.

8. Provide for the safe and efficient movement of people and goods throughout the community.
   No change.

9. Maintain the quality of housing and non-residential buildings in regard to safety, health and appearance through administering and implementing the current property maintenance code and design review by the Planning Board.
   Maintain the quality of housing and non-residential buildings in regard to safety, health, and appearance through administering, implementing, and enforcing the current property maintenance code and design review by the Planning Board.

10. Encourage good design, amenity and proper landscaping in new and rehabilitated buildings.
    Encourage good design, amenity and proper landscaping in new and rehabilitated developments and associated properties.

11. Preserve open space and limit impervious surface coverage.
    Remove. This objective is redundant and should be combined with Objective Number 19.

12. Protect and enhance the open spaces around the private lake area through appropriate application of current Township and State regulations.
    Protect and enhance Martini Park along Schlegel Lake at the intersection of Chestnut Street and Sussex Road through appropriate application of current Township and State regulations.

13. Conduct the Township's planning program within the framework of a regional setting and remain fully cognizant of the needs and rights of the adjoining municipalities and of Bergen County.
    Implement the Township's Master Plan in a manner that is sensitive to and cognizant of planning issues and endeavors that are underway in

municipalities adjacent to the Township of Washington and also in Bergen County.

14. Encourage storm water management controls for all new developments.
    Encourage stormwater and sewer management controls for all new developments.

15. Promote the conservation of energy through the use of planning practices designed to reduce energy consumption and to provide the maximum utilization of renewable energy sources.
    No change.

16. Encourage citizen and business participation in the planning process.
    Encourage public participation in the planning process.

17. Promote the maximum practicable recovery of recycling or recyclable materials from the municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.
    Promote the maximum practicable recovery of recycling or recyclable materials through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

18. Maintain the Township's existing, balanced land use pattern by strictly adhering to the land use designations provided for each zone district in Chapter 245 of the Code of the Township of Washington and the Township Land Use Plan map, which is included in the 2006 Master Plan Reexamination Report. In particular, commercial uses should be limited to the existing Class "C" Retail Business Area.
    Maintain the Township's existing, balanced land use pattern by strictly adhering to the land use designations provided for each zone district in: the Township Land Use Plan; the Township Zoning Map; and, Chapter 580 of the Code of the Township of Washington. In particular, commercial uses should be limited to the existing Class "C" Retail Business Area.

19. Develop and adopt proper ordinance standards for the limitation of impervious surface coverage.
    Develop and adopt proper ordinance standards for the limitation of impervious surface coverage and adequate preservation of open space.

20. Maintain the Township's aesthetic appeal by passing an ordinance for the preservation and protection of its trees.
    Maintain the Township's aesthetic appeal by enforcing existing ordinances for the preservation and protection of its trees.

21. Extend Gorga Place to allow for the residential subdivision of properties located within Blocks 1101 and 1201.
    Remove. This objective is no longer relevant.

22. Improve the economic viability and aesthetic appeal of the Township's Retail Business zone district through the development of design standards for new development and the improvement of existing business uses.
    Improve the economic viability and aesthetic appeal of the Township's "C" Retail Business zone district through the development and enforcement of design standards for new development and the improvement of existing business uses.

IV. Extent to Which There Have Been Significant Changes in the Assumptions, Policies, and Objectives

The following sub-sections outline the extent to which there have been significant changes in the assumptions, policies, and objectives related to land development in the Township of Washington since 2006.

Changes at the Local Level

Demographic Changes

Table 1 provides a comparison of the population trends of the Township of Washington, Bergen County, and New Jersey since 1990. The Township of Washington's population declined by 4.7 percent from 1990 to 2000, and increased by 1.8 percent from 2000 to 2010, while the populations of Bergen County and the State of New Jersey have consistently increased. The 2017 American Community Survey estimates the Township's population increase has continued through 2017.

Table 1: Population Trends, 1990-2017

	Township of Washington			Bergen County			State of New Jersey		
Year	**Population**	**Change**	**Percent Change**	**Population**	**Change**	**Percent Change**	**Population**	**Change**	**Percent Change**
1990	9,374	-	-	825,380	-	-	7,730,188	-	-
2000	8,938	-436	-4.7%	884,118	58,738	7.1%	8,414,350	684,162	8.9%
2010	9,102	164	1.8%	905,116	20,998	2.4%	8,791,894	377,544	4.5%
2017	9,368	266	2.9%	937,920	32,804	3.6%	8,960,161	168,267	1.9%
1990-2017 Total Change	-	-6	-.06%	-	112,540	13.6%	-	1,229,973	15.9%

Sources:

- 1970-1990: US Census Bureau
- 2000-2010: US Census Bureau DP-1 Profile of General Demographic Characteristics
- 2017: American Community Survey 5-Year Estimates (B01003: Total Population)

Table 2 outlines the Township's population, household, and employment growth forecast for the years ranging from 2015 to 2045. According to the North Jersey Transportation Planning Authority's projections, the Township's population is expected to grow an average of 24.1 people per year from 2015 to 2045. The projected absolute population increase is 722 people, representing a 7.8 percent increase. NJTPA's forecast for Bergen County over the same time period is a projected total population increase of 101,766 people, representing an 11.0 percent increase.

Table 2: Municipal Level Forecasts, 2015-2045

Projection	Township of Washington	Bergen County
2015 Population	9,314	928,736
2045 Population	10,036	1,030,502
Total Population Change (2015-2045)	722	101,766
Average Yearly Population Change (2015-2045)	24.1	3,392.2
Total Percent Change (2015-2045)	7.8%	11.0%
Average Yearly Percent Population Change (2015-2045)	0.2%	0.3%
2015 Households	3,292	339,860
2045 Households	3,571	380,925
Average Yearly Percent Household Change (2015-2045)	0.3%	0.4%
2015 Employment	957	444,410
2045 Employment	1,165	503,449
Average Yearly Percent Employment Change (2015-2045)	0.7%	0.4%

Source: North Jersey Transportation Planning Authority Municipal Forecasts, 2017

Table 3 describes the age profile of the Township of Washington in 2010 in comparison with Bergen County and the State of New Jersey. The Township of Washington contained a smaller proportion of working-age persons (20 to 64 years) than the County and the State in 2010. The median age in the Township of Washington (45.1) is also higher than that of the County (41.1) and of the State (39).

Table 3: Population by Age Category – 2010 Census

	Township of Washington		**Bergen County**		**State of New Jersey**	
	Number	Percent	Number	Percent	Number	Percent
Total Population	9,102	100%	905,116	100%	8,791,894	100%
Preschool Age (0-4 Years)	491	5.4%	50,281	5.6%	541,020	6.2%
School Age (5-19 Years)	1,739	19.1%	173,905	19.2%	1,750,184	19.9%
Working Age (20-64 Years)	5,057	55.6%	543,827	60.1%	5,314,697	60.5
Seniors (65+)	1,815	19.9%	137,103	15.1%	1,185,993	13.5%
Median Age	45.1	-	41.1	-	39.0	-
Male	4,355	47.8%	435,962	48.2%	4,279,600	48.7%
Female	4,747	52.2%	469,154	51.8%	4,512,294	51.3%

Source: US Census Bureau DP-1 Profile of General Demographic Characteristics: 2010

Housing Stock

The 2010 Census data describes the characteristics of housing units in the Township of Washington. A comparison of three of these characteristics (occupancy, tenure and household size) is included in Table 4 below.

Table 4: Housing Characteristics – 2010 Census

	Township of Washington		Bergen County	
	Number	Percent	Number	Percent
Occupancy Status				
Total Housing Units	3,341	100%	352,388	100%
Occupied Housing Units	3,261	97.6%	335,730	95.3%
Vacant Housing Units	80	2.4%	16,658	4.7%
Tenure				
Occupied Housing Units	3,261	100%	335,730	100%
Owner-Occupied	3,110	95.4%	221,966	66.1%
Renter-Occupied	151	4.6%	113,764	33.9%
Size				
Average Household Size	2.79	-	2.66	-
Average Family Size	3.15	-	3.20	-

Source: US Census Bureau DP-1 Profile of General Demographic Characteristics: 2010

In Table 5 (below) describes the changes in the housing stock for occupancy and tenure between 2000 and 2010. Along with a slight increase in population from 2000 to 2010 (a 1.8 percent increase), total housing units increased by 96 units or 3.0 percent during this decade. Vacant housing units comprised about 2.4 percent of the Township's housing stock in 2000; this number increased from 26 vacant housing units in 2000 to 80 in 2010, an increase of 207.7 percent.

Table 5: Housing Occupancy and Tenure Change, 2000-2010

	2000	2010	Change	Percent Change
Occupancy Status				
Total Housing Units	3,245	3,341	96	3.0%
Occupied Housing Units	3,219	3,261	42	1.3%
Vacant Housing Units	26	80	54	207.7%
Tenure				
Occupied Housing Units	3,219	3,261	42	1.3%
Owner-Occupied	3,093	3,110	17	0.5%
Renter-Occupied	126	151	25	19.8%

Source: US Census Bureau DP-1 Profile of General Demographic Characteristics: 2000 and 2010

In the period spanning from 2000 to 2017, the Township of Washington issued 277 building permits for construction of new housing units, all of which were for units in one and two-family structures, as shown in Table 6. It is important to note that 77.6 percent of the building permits for new construction during this time period took place in the years 2000 through 2002, and that after 2002 there was a sharp decline in the number of yearly permits. Conversely, in the same period of time, the Township issued demolition permits for 38 residential units, all of which were also for units in one and two-family structures. This represents a net increase of 239 residential units

for the Township in the 18-year period reported by the New Jersey Department of Community Affairs.

Table 6: Housing Units Constructed and Demolished, 2000-2017

Year	Housing Units Authorized by Building Permits for New Construction*	Housing Units Demolished*	Net Change
2000	47	3	44
2001	102	2	100
2002	66	4	62
2003	3	3	0
2004	1	1	0
2005	4	0	4
2006	2	0	2
2007	12	0	12
2008	1	12	-11
2009	4	1	3
2010	5	6	-1
2011	2	1	1
2012	2	2	0
2013	2	1	1
2014	1	0	1
2015	2	1	1
2016	10	0	10
2017	11	1	10
Total	**277**	**38**	**239**
Yearly Average	**15.4**	**2.1**	**N/A**

* = All permits/demolitions were for one and two-family dwellings
Source: New Jersey Department of Community Affairs, Construction Reporter, 2000-2017

Changes at the County/Regional Level

As indicated in the following subsections, there have been some changes in planning efforts at the county level since the adoption of the 2006 Master Plan Reexamination Report.

Additionally, Bergen County Planning Division notes that the County envisions improvements to the intersection of Washington Avenue and Pascack Road, both of which are County roads.

Bergen County Master Plan

In 2011 Bergen County prepared the visioning component of the Bergen County Master Plan. The visioning component, which is a result of various public outreach sessions, opines on various planning matters relevant to this Master Plan Reexamination Report, as outlined below:

1. **Land Use**: The eight municipalities in the Pascack Valley Region [including the Township of Washington] are characterized by a suburban land use pattern with residential development on larger lots and lower than average population densities. This area is mostly residential.
2. **Redevelopment:** The visioning component recognizes that the majority of the future housing development in Bergen County will take the form of redevelopment and will likely be at higher densities.
3. **Low Density Single-Family Bias**: One significant concern with the existing zoning is that the most prevalent zoning category in the County is Low-Density Residential. This produces a pattern of land development that does not support most forms of transit and is therefore largely auto-dependent, is expensive and generally out of reach for people with lower or fixed incomes, and is poorly suited to the changing demographics of single and two-person households. While a certain amount of land dedicated to this use is desirable, over zoning for low density residential does not lead to a sustainable land use pattern and is a fiscal disaster at the local level.
4. **Housing:** The plan identifies that two major concerns regarding the need for future housing in Bergen County are: 1) providing adequate housing stock for the growing populations of seniors, students, and new immigrants; and, 2) maintaining overall housing affordability.

Bergen County Multi-Jurisdictional All-Hazards Mitigation Plan

Multi-Jurisdictional All-Hazards Mitigation Plan (HMP), prepared in 2014, documents Bergen County's continuing attempts to identify potential natural hazards and associated risks across jurisdictions and to develop an integrated mitigation strategy. The Plan addresses the mitigation of potential damage to public, quasi-public, and private entities, facilities, and infrastructure. Bergen County's intention in this Plan is to substantially reduce and/or eliminate long-term risk to life and properties associated with natural hazards.

The Township of Washington identified the following critical facilities, and hazard vulnerabilities for each, as outlined in Table 7 below:

Table 7: Facility Vulnerability Assessment

Facility	High Winds	Landslide	Winter Storm	Fire
Immaculate Heart Academy (High School)		1	1	
Jesse F. George School		1	1	
Washington Township Police Dept	1		1	1
Washington Township Police Dept Communications	2		1	1
Washington Township DPW	2		1	
Washington Grand	1		1	
Washington Township Municipal Building	2		1	
Washington School (Elementary)		1	1	
Washington Volunteer Ambulance Corps	2		1	
Washington Volunteer Fire Dept	1	1	1	1
Westwood Jr/Sr High School	1		1	

- *1 (High Winds): Wall opening size/lack of protection may cause window/door failure and/or with few nearby trees; essential external equipment is vulnerable.*
- *2 (High Winds): Vulnerable due to wall opening size/lack of protection, roof configuration, and/or several nearby trees; essential external equipment is vulnerable.*
- *1 (Landslide): Facility is on sloping or waterside site with moderate vulnerability to landslide or erosion, and/or is near but not in an avalanche runout zone.*
- *1 (Winter Storm): The facility could suffer some damage or minor operational disruption from a winter storm.*
- *1 (Major Fire): Meets the current code, is not close to heavily vegetated areas, but access and/or separation from nearby structures increase fire risk.*

Also, as part of its participation in the preparation of the 2014 HMP, the Township of Washington identified a number of municipal mitigation measures to mitigate the impacts of natural hazards. The Township's municipal mitigation measures include the following:

1. Elevate structures above flood water level. Raise utilities above flood water level.
2. Remove/acquire residential structures from repetitive flood loss properties.
3. Discussions and actions to plan and inform local elected and appointed officials and citizens about hazards and ways to mitigate them.
4. Building of retaining walls along stream walls to prevent future land erosion of specific residential properties.
5. Replace aging bridge at Woodfield Road.
6. Repair, replace, upgrade of antiquated dam system to prevent repetitive flooding.

The Township of Washington affirms and incorporates the HMP municipal mitigation measures as part of its Master Plan Reexamination Report.

Changes at the State Level

As indicated in the following subsections, there have been considerable changes at the state level since the adoption of the 2006 Master Plan Reexamination Report.

Time of Decision

On May 5, 2010, P.L. 2010 c.9 was signed into law, effectively nullifying the "time of decision" rule which had previously allowed municipalities the ability to alter zoning requirements even after an application for development had been filed but before a formal decision on the application had been rendered. The new time of decision law provides that the development regulations applicable to a property at the time an application for development is filed will govern the review of the application and any decision made pertaining to it. The law became effective on May 5, 2011.

Solar and Wind Facilities as Permitted Uses in Industrial Zones

The NJ Municipal Land Use Law (MLUL) was amended in 2008 so that solar and wind facilities on parcels of 20 acres or more shall be deemed as permitted uses in industrial zone districts. Amendments to the MLUL also revised the definition of inherently beneficial use to include a wind, solar, or photovoltaic energy facility or structure.

Land Use Plan Statement of Strategy on Smart Growth, Storm Resiliency, and Environmental Sustainability

The MLUL was amended in 2018 to provide that any land use element adopted after the effective date of P.L.2017, c.275, must provide a statement of strategy concerning: smart growth, which 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. The law became effective on January 8, 2018.

The Township of Washington should consider the development of a smart growth statement of strategy as part of a comprehensive update to its Master Plan.

Green Buildings and Environmental Sustainability Element

Many New Jersey municipalities have endorsed efforts to reduce their carbon footprint, decrease greenhouse gas emissions, encourage the use of renewable energy sources, conserve energy, and minimize the use of natural resources. Federal and state programs have been established to assist municipalities address these goals. In the private sector, the US Green Building Council, a private organization, has established the Leadership for Energy and Environmental Design (LEED) certification programs to encourage and standardize the certification of buildings which are energy efficient and incorporate sustainable environmental design concepts.

Recognizing the importance of green building and sustainability, the Legislature amended the Municipal Land Use Law (MLUL) in 2008 to add the "Green Building and

Environmental Sustainability Plan Element" to the list of optional elements of municipal master plans. The scope of the new element is as follows:

> *"A green buildings and environmental sustainability plan element, which shall provide for, encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems, consider the impact of buildings on the local, regional, and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on site; and optimize climatic conditions through site orientation and design."*

The Township of Washington should consider the development of a green building, sustainability, and resiliency plan element as part of a comprehensive update to its Master Plan.

Complete Streets

In late 2009 the New Jersey Department of Transportation (NJDOT) adopted a Complete Streets Policy. A "complete street" is defined by the NJDOT as a "means to provide safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options." The intent of the policy is to provide streets that meet the needs of all types of users and all modes of circulation- walking, bikes, cars, trucks, and buses.

The New Jersey Bicycle and Pedestrian Resource Center states that Complete Streets benefit communities by addressing the needs of all road users regardless of age, ability, or mode of transportation. Benefits can include the following:

1. Enhancing mobility and accessibility by enhancing connections between local destinations, including critical and community facilities and retail destinations;
2. Improving safety;
3. Enhancing the sense of community and quality of life;
4. Reducing reliance on automobiles;
5. Reducing congestion;
6. Revitalizing downtowns;
7. Increasing private investment;
8. Increasing property values;
9. Promoting tourism;

A municipal Complete Streets policy is the community's formal strategy to focus decision making and funding on planning, designing, and constructing community streets that accommodate all intended users. According to the National Complete Streets Coalition, the following items represent some of the items in an ideal Complete Streets policy:

1. A vision for how and why the community wants to complete its streets.
2. Identification that "all users" includes pedestrians, bicyclists, and transit passengers of all age and ability, as well as automobile drivers and transit-vehicle operators.
3. Emphasis on street connectivity and comprehensive, integrated, connected networks for all modes of transportation.
4. Relevance to both new and retrofit projects, including design, planning, maintenance, and operations for the entire right-of-way.
5. Use of the latest and best design standards while recognizing the need for flexibility in balancing user needs.
6. Establishment of performance standards with measurable outcomes.
7. Steps for implementation.

As of April 2019, eight (8) counties and 152 municipalities in New Jersey have adopted complete streets policies.

The Township of Washington should adopt a Complete Streets policy.

Sustainable Jersey

Sustainable Jersey is a certification program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of life over the long term. The program provides tools, training, and financial incentives to support and reward communities as they pursue sustainability programs.

The Township of Washington registered to participate in the Sustainable Jersey program on June 1, 2009, but to date has not become a certified member.

The Township of Washington should consider enhancing its participation in the Sustainable Jersey certification program by becoming a certified member.

Stormwater Management

In 2004, the New Jersey Department of Environmental Protection (NJDEP) adopted municipal stormwater regulations that required preparation and adoption of a stormwater management plan and ordinance by the municipality to address the need for promoting groundwater recharge and controlling the impacts of stormwater runoff from development. The Township adopted its Stormwater Management Ordinance in June 2006.

State Strategic Plan

The NJ State Planning Commission is now staffed by the Office of Planning Advocacy (OPA) which is within the Department of State. The OPA has released a draft State Strategic Plan that would supersede the current State Development and Redevelopment Plan. The draft State Strategic Plan differs from previous plans in that it is based upon a criteria-based system rather than a geographic planning area. While public hearings were held in February, March, and September of 2012, the draft State

Strategic Plan was put on hold following Hurricane Sandy, and to date has yet to be adopted by the State Planning Commission. The Township of Washington should continue to monitor the progress of the new plan and how it will affect local-level planning decisions.

Redevelopment Case Law

There have been a number of recent court decisions concerning the use of criteria for determining an area "in need of redevelopment" pursuant to the Local Redevelopment and Housing Law (LRHL). The most significant of these decisions is the NJ Supreme Court's decision in Gallenthin vs. Paulsboro, which reevaluated and set guidelines for the use of the statutory criteria for determining an area in need of redevelopment. In 2013 the LRHL was amended to provide for a non-condemnation redevelopment area designation and define the process and criteria for designating an area in need of redevelopment and rehabilitation consistent with recent case law.

Safe Routes to School

New Jersey Safe Routes to School (NJ SRTS), is supported by the New Jersey Department of Transportation with funding from the Federal Highway Administration in order to enable safer and more accessible walking and bicycling environments for children in New Jersey. In 2012, NJ SRTS completed an update to the statewide strategic plan that identifies a mission and vision for NJ SRTS, looks at past successes in the state, and identifies goals and performance measures to ensure success. The program also offers infrastructure grant funding that may be used for infrastructure (construction) projects which encourage and enable students from grades K-8 to safely walk and bike to school within 2 miles of the school. Typical improvements include installation of ADA compliant sidewalks, bike paths, striping, lighting, signals and traffic calming improvements.

New Jersey Council on Affordable Housing (COAH)

The Council on Affordable Housing (COAH) originally adopted affordable housing rules for the third round period (the period from 1999 through 2025) in 2004. However, an Appellate Division decision in 2007 stayed COAH from reviewing any plans as part of a petition for substantive certification and resulted in a remand of the 2004 rules back to COAH to revise them to be consistent with the Appellate Division decision. COAH subsequently adopted revised third round rules in 2008.

In 2010, the Appellate Division invalidated COAH's 2008 third round rules, and the "growth share" methodology upon which they were based. In 2013, the New Jersey Supreme Court upheld and modified the Appellate Division's 2010 decision that invalidated COAH's third round rules. As a result, COAH was then charged with the task of adopting new affordable housing rules.

Due to COAH's failure to adopt such rules, the New Jersey Supreme Court concluded on March 10, 2015 that there no longer exists a legitimate basis to block access to the courts, which was the original intent of the COAH process. The New Jersey Supreme Court's 2015 decision notes that: "parties concerned about municipal compliance

with constitutional affordable housing obligations are [now] entitled to such access, and municipalities that believe they are constitutionally compliant[,] or that are ready and willing to demonstrate ... compliance [with such obligations,] should be able to secure declarations that their housing plans and implementing ordinances are presumptively valid in the event they ... must defend [themselves] against exclusionary zoning litigation."

On July 1, 2015, the Township of Washington filed a declaratory judgment action in order to validate its affordable housing plan as compliant with its constitutional affordable housing obligations. The Township also filed a motion for immunity from builders' remedy lawsuits while it prepared its latest Housing Element and Fair Share Plan.

The court granted the Township five months of temporary immunity from the filing of its declaratory judgment action on July 1, 2016. The original term of immunity was to end on December 1, 2015, however, it was subsequently extended during the progress of the development of settlement terms with the Fair Share Housing Center and intervening parties representing potential affordable housing sites.

Amidst the process of extending the Township's immunity from builders' remedy lawsuits, the Township of Washington Planning Board adopted the Housing Element and Fair Share Plan on July 26, 2017. The Plan was subsequently endorsed by the Township of Washington Council on August 7, 2017. The 2017 Housing Element and Fair Share Plan was prepared in accordance with the terms of the settlement agreement with the Fair Share Housing Center and intervening parties and with the consent of the Court's Special Planning Master as approved at a Fairness Hearing held on May 11, 2017.

Elements of the Township of Washington 2017 Housing Element and Fair Share Plan that impact the Township's Land Use Plan and Zone Plan are described below.

1. **Single-family Attached / Multi-family Overlay (AA) District**

   In September 2017 the Township of Washington adopted the AA affordable housing overlay district. In the AA District along Ridgewood Avenue on the existing Stone Mill Gardens site (Block 3405, Lot 1 or 767 Ridgewood Avenue), as shown in Appendix A, the affordable housing overlay zoning district permits either a townhouse-style or multi-family housing development.

   This overlay district permits a maximum residential density of 8 dwelling units per acre and requires an on-site affordable housing set-aside of 20 percent for sale units and 15 percent set-aside for rentals. The maximum permitted lot coverage is restricted to 80 percent. This site has the potential to produce 12 total units including 2-3 affordable units.

2. **Multi-Family Residential Overlay (O-R) District**

In September 2017 the Township of Washington adopted the O-R affordable housing overlay district. In the O-R district along Pascack Road, the Township adopted an overlay zoning district that permits the reuse or redevelopment of the former YMHA site, now the Bethany Community Center (Block 3202.01 Lot 3, 605 E. Pascack Road, as shown in Appendix A), into a multi-family inclusionary development.

This overlay district permits a maximum residential density of 15 dwelling units per acre and requires an on-site affordable housing set-aside of 20 percent for sale units and 15 percent set-aside for rentals. The maximum permitted lot coverage is 80 percent and maximum building height is three stories or 50 feet. This site has the potential to produce 105 units including between 16 and 21 affordable units.

3. **Inclusionary Multifamily (MF) Affordable Housing Overlay District**

In October 2018 the Township of Washington adopted the Inclusionary Multifamily Affordable Housing Overlay District. In the MF district on Van Emburgh Avenue north of Washington Avenue (also referred to as the Franklin Court site or Block 1102, Lots 1.04, 2, 11, and part of Lot 9, as shown in Appendix A), the Township adopted an overlay zoning district that permits a multi-family inclusionary development.

This overlay district permits a maximum residential density of 44 dwelling units per acre and requires an on-site affordable housing set-aside of at least 15 percent. The minimum tract area is 13 acres and maximum permitted lot coverage is 25 percent.

4. **Township-Wide Mandatory Affordable Housing Set-Aside Ordinance**

In addition to the three site-specific affordable housing overlay zones referenced above, the Township of Washington also adopted a Township-wide mandatory affordable housing set-aside ordinance in September 2017. This ordinance requires that all new multifamily residential developments of five or more units that become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multifamily residential housing where not previously permitted, or a new or revised redevelopment plan shall be required to provide an affordable housing set-aside at 20 percent for sale units and 15 percent set-aside for rentals.

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

Changes to the Master Plan

1. **Comprehensive Master Plan**
   It would be appropriate for the next reexamination of the Master Plan to be a comprehensive review to address all of the changes in land use, housing, circulation, and community facilities since the last comprehensive Master Plan.
2. **Land Use Plan Element**
   When the next Comprehensive Master Plan is prepared, the Land Use Plan Element should also be updated consistent with the recent amendments to the Municipal Land Use Law to include a statement of strategy concerning: smart growth, which 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.
3. **Circulation Plan Element**
   A new Circulation Plan Element should be prepared to identify enhanced circulation improvements and connectivity enhancements, including but not limited to potential roads to be converted to one-way streets, rights of way to be vacated, right of way widths to be decreased, adequate locations for on-street bike lanes, and enhanced on-street parking.
4. **Green Buildings and Environmental Sustainability Plan Element**
   The Township of Washington should consider the appropriateness of preparing a green building, sustainability, and resiliency component as part of the Master Plan. This Master Plan element can: provide for, encourage, and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of building on the local, regional, and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on site; and, optimize climatic conditions through site orientation and design.
5. **Capital Improvement Plan**
   The Township of Washington should prepare a Capital Improvement Plan that identifies needed capital improvements to improve local resiliency.
6. **Stormwater Management Plan**
   The Township of Washington should consider amending its Stormwater Management Plan to address green infrastructure techniques to promote resiliency in the Township.
7. **Goals and Objectives**
   Update the goals and objectives of the Master Plan pursuant to the revisions described in Section III above. Accordingly, the new goals and objectives will read as follows:
   a. Maintain and preserve residential neighborhoods through neighborhood planning principles such as provision of neighborhood

facilities and routing through-traffic around residential neighborhoods.

b. Provide community facilities, including schools, parks, playgrounds, the library, the fire station, the senior center, and other municipal buildings, to sufficiently serve the Township's residents.
c. Provide adequate community services for the residents, including police and fire protection, street cleaning, snow removal, garbage disposal, health services, recreational programs, sewerage and water supply.
d. Provide adequate community services for those aged 65 years or greater, including enhanced transportation options such as senior bus routes, and activity programming.
e. Encourage land use policies that provide a realistic development potential for age-restricted developments.
f. Continue to implement the Township's Housing Element and Fair Share Plan.
g. Preserve and enhance the quality of the environment through green initiatives such as emphasizing the importance of the Township of Washington Green Team, tree risk management, and other relevant endeavors.
h. Provide for the safe and efficient movement of people and goods throughout the community.
i. Maintain the quality of housing and non-residential buildings in regard to safety, health, and appearance through administering, implementing, and enforcing the current property maintenance code and design review by the Planning Board.
j. Encourage good design, amenity and proper landscaping in new and rehabilitated developments and associated properties.
k. Protect and enhance Martini Park along Schlegel Lake at the intersection of Chestnut Street and Sussex Road through appropriate application of current Township and State regulations.
l. Implement the Township's Master Plan in a manner that is sensitive to and cognizant of planning issues and endeavors that are underway in municipalities adjacent to the Township of Washington and also in Bergen County.
m. Encourage stormwater and sewer management controls for all new developments.
n. Promote the conservation of energy through the use of planning practices designed to reduce energy consumption and to provide the maximum utilization of renewable energy sources.
o. Encourage public participation in the planning process.
p. Promote the maximum practicable recovery of recycling or recyclable materials through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

q. Maintain the Township's existing, balanced land use pattern by strictly adhering to the land use designations provided for each zone district in: the Township Land Use Plan; the Township Zoning Map; and, Chapter 580 of the Code of the Township of Washington. In particular, commercial uses should be limited to the existing Class "C" Retail Business Area.
r. Develop and adopt proper ordinance standards for the limitation of impervious surface coverage and adequate preservation of open space.
s. Maintain the Township's aesthetic appeal by enforcing existing ordinances for the preservation and protection of its trees.
t. Improve the economic viability and aesthetic appeal of the Township's "C" Retail Business zone district through the development and enforcement of design standards for new development and the improvement of existing business uses.

Changes to Development Regulations

1. **Single-Family Residential Zones**
   Review the bulk and yard standards for existing single-family residential districts (including, but not limited to, standards pertaining to minimum lot size and minimum lot frontage) in order to minimize the potential for future residential subdivisions.
2. **Commercial Vehicles on Residential Properties**
   Assess the appropriateness of revising the Zoning Ordinance to limit the maximum permitted number of commercial vehicles stored on residential properties. Currently, the Zoning Ordinance at §580-85.1B states, "The parking of motor vehicles on residential developed lots shall be limited to the defined driveway portion thereof. It shall be unlawful for any residential property owner to park or permit the parking of any motor vehicle on any lawn areas or other areas of the property other than the driveway."
3. **Impervious Surface Coverage**
   The Township's Zoning Ordinance currently does not provide provisions for limits on impervious surface coverage for new developments. The Township should review the appropriateness of incorporating standards for impervious surface coverage in some or all of the zone districts within the Township.
4. **Non-Residential Uses on Block 2100, Lots 6 through 11**
   The properties along the northwest corner of Pascack Road and Washington Avenue (Block 2100, Lots 6 through 11) have previously been contemplated to be used as a potential commuter parking lot. These properties are currently zoned AA Residential and are the location of vacant single-family detached structures. The Planning Board recognizes that there may be other uses appropriate for these properties that could be considered public uses and have a benefit to the public. At this time, the Board does not encourage permitting any non-residential uses on these properties, but it may be amenable to

considering non-residential uses here in the future with adequate design and screening/buffering from adjacent residential properties.

5. **Non-Conforming Uses in Residential Zones**
   There are multiple properties in the Township that are located in residential zones where there exist non-residential land uses, which serve as non-conforming. These locations are as follows:
   a. **Illinois Auto Sales:** The two properties, located at Block 3103, Lots 1 and 7 along Pascack Road between Jefferson Avenue and McKinley Avenue, are currently zoned B-Residential. The existing auto sale use is a non-conforming use.
   b. **Seasons Catering**: These two properties, located at Block 2202, Lots 2 and 3 at the southwestern corner of Washington Avenue and Pascack Road, are currently zoned AA-Residential. The existing catering facility use is a non-conforming use.
   c. **Dentist Property:** This property, located at Block 3201, Lot 1 at the southeast corner of Washington Avenue and Pascack Road, is currently zoned PRTD (Planned Residential Townhouse Development). In April 2019, the Township of Washington Zoning Board of Adjustment memorialized a resolution permitting a use variance for the development of a dental office at this property.

   The Planning Board does not recommend rezoning any of these properties, but rather reaffirms the existing residential zoning designations.
6. **Conditional Use Standards for Churches or Places of Worship**
   The Township's Zoning Ordinance currently does not have provisions for churches or places of worship. The Township should consider adopting zoning provisions to permit churches or places of worship as conditional uses in the Township. The Planning Board does not have any specific recommendations at this time as to conditional use provisions. A further study may be warranted to identify conditional use provisions that may be appropriate for such uses, including minimum lot size, off-street parking requirements, and appropriate zone districts.
7. **Updates to Zoning Map**
   The Township of Washington should ensure that its Zoning Map is up to date and should prepare and adopt any relevant map revisions, including incorporating zoning changes and overlay zones that have gone into effect since the date of the last Zoning Map revision.

Capital/Other Recommendations

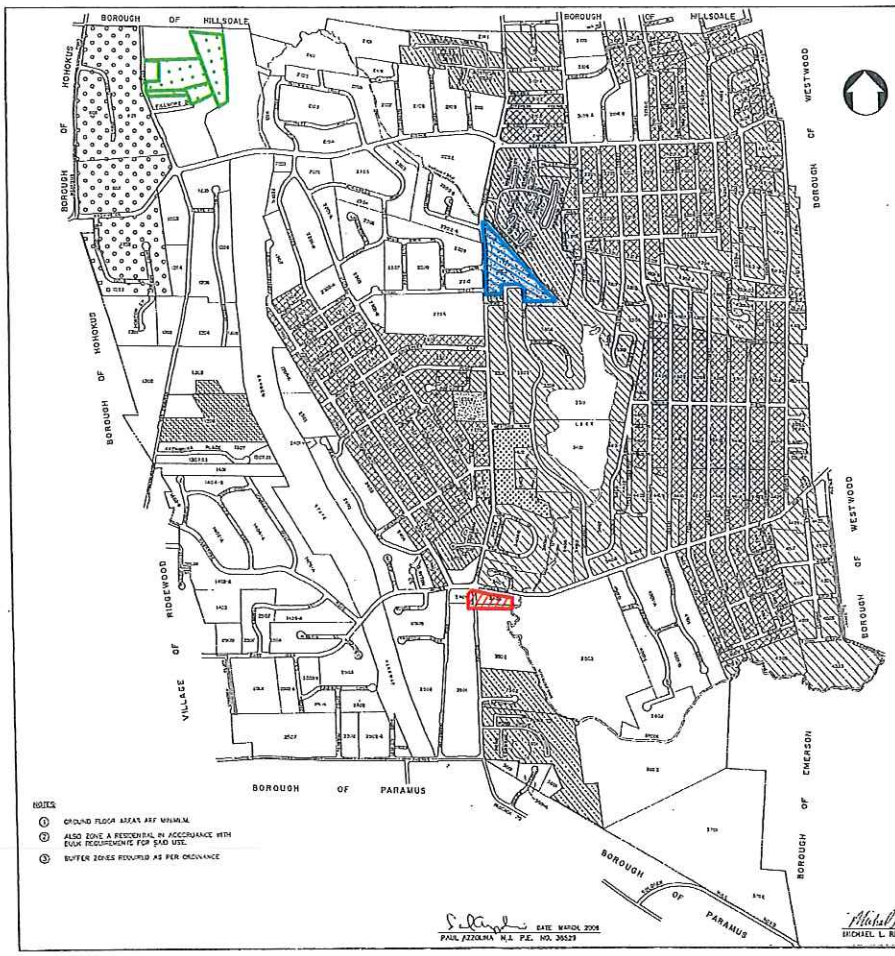
1. **Complete Streets Policy**
   Investigate and consider the appropriateness of adopting a municipal Complete Streets policy.

2. **Sustainable Jersey Participation**
   Continue municipal efforts in the Sustainable Jersey certification program and consider if an increased level of participation is appropriate.
3. **Bergen County Multi-Jurisdictional All-Hazards Mitigation Plan Recommendations**
   Implement the municipal mitigation measures that the Township of Washington identified as part of its participation in the preparation of the Bergen County Multi-Jurisdictional All-Hazards Mitigation Plan, including:
   a. Elevate structures and utilities above flood water level.
   b. Remove/acquire residential structures from repetitive flood loss properties.
   c. Plan and inform local elected and appointed officials and citizens about environmental hazards and ways to mitigate them.
   d. Build retaining walls along stream walls to prevent future land erosion of residential properties.
   e. Replace aging bridge at Woodfield Road.
   f. Repair, replace, and upgrade the antiquated dam system to prevent repetitive flooding.

VI. Recommendations Concerning the Incorporation of Redevelopment Plans

The Planning Board acknowledges that there currently are no redevelopment plans in effect in the Township and there have been no areas of the Township that have been designated as areas in need of rehabilitation or redevelopment.

Appendix A: Zoning Map



Affordable Housing Overlay Zones

- Class AA Affordable Housing Overlay
- Class OR Affordable Housing Overlay
- Inclusionary MF Affordable Housing Overlay

ZONING MAP

TOWNSHIP OF WASHINGTON

BERGEN COUNTY NEW JERSEY

SCALE: 1" = 500'

JULY 26, 1974

REV. FEB 3, 1973
REV. APR. 27, 1973
REV. JULY 3, 1973
REV. SEPT. 25, 1973
REV. OCT. 29, 1973
REV. NOV. 6, 1973
REV. JA. 22, 1972
REV. MAR 2, 1954
REV. JUN. 10, 1952
REV. FEB. 11, 1946
REV. MAR. 15, 1944 (as per ORD. 10-10 + 10-5)

0 250 500 1000 1500 2000
GRAPHIC SCALE

PREPARED JULY 1974 BY

AZZOLINA ENGINEERING COMPANY
CONSULTING ENGINEERS
PARAMUS NEW JERSEY

LEGEND

CODE	ZONE	MINIMUM AREA	MINIMUM FRONTAGE	MINIMUM FRONT YARD	MINIMUM REAR YARD	MINIMUM SIDE YARD	USE
	AAA	1 ACRE	150 FEET	50 FEET	25 FEET	15 FEET	ONE FAMILY ① RESIDENTIAL 1500 SQ FT GROUND FLOOR AREA
	AA	1/2 ACRE	100 FEET	50 FEET	25 FEET	15 FEET	ONE FAMILY ① RESIDENTIAL 1300 SQ FT GROUND FLOOR AREA
	A	10,000 SQ FEET	100 FEET	30 FEET	30 FEET	15 FEET	ONE FAMILY ① RESIDENTIAL 1200 SQ FT GROUND FLOOR AREA
	B	7,500 SQ. FEET	75 FEET	20 FEET	20 FEET	10 FEET	ONE FAMILY ① RES. 1 STY.-1000 SQ. FT. RES. OVER 1 STY.-1200 SQ. FT.
	C	10,000 SQ. FEET	100 FEET	MINIMUM 35 FEET	MINIMUM 30 FEET	ONE SIDE YARD 15 FEET	RETAIL BUSINESS 1 STY. - 1000 SQ. FT. OVER 1 STY. - 1200 SQ. FT.
	PRTD	4 ACRES MIN. LOT DEPTH = 700 FEET	225 FEET	100 FEET	80 FEET	50 FEET	SINGLE FAMILY TOWN HOUSES AND NON-PROFIT ORGANIZATION
	OR ③	5 ACRES	200 FEET	60 FEET	60 FEET	30 FEET	OFFICE BUILDING DISTRICT & RESEARCH & ONE FAMILY ①
	PSF/TD	SINGLE FAMILY DWELLING UNITS					DETACHED SINGLE FAMILY DWELLINGS & TOWNHOUSE DWELLING UNITS
		8,000 SQ. FEET	60 FEET	25 FEET	25 FEET	8 FT. (ONE) 20 FT. (BOTH)	
		TOWNHOUSE DWELLING UNITS					
		2.5 ACRES	N.A.	35 FEET PERIMETER SETBACK	35 FEET PERIMETER SETBACK	35 FEET PERIMETER SETBACK & SIDE TO SIDE DISTANCE BETWEEN BUILDINGS	