

2020 Land Use Plan Element Amendment

Borough of Northvale

June 3, 2020

Adopted by the Planning Board: July 15, 2020

Memorialized: July 15, 2020



2020 Land Use Plan Element Amendment

Borough of Northvale

Bergen County, New Jersey

It should be noted that the original 2020 Land Use Plan Element Amendment was adopted by the Planning Board on February 19, 2020. However, following the document's adoption additional zoning issues were discovered that the Borough sought to address. This April 11, 2020 report replaces the February 3, 2020 Land Use Plan Element Amendment.

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Maser Project No. NVB-303

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

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2. INTRODUCTION

In May of 1999 the Borough of Northvale adopted a Master Plan. Since that time a reexamination report was adopted on May 7, 2009. The Borough adopted a 2020 Master Plan & Development Regulations Reexamination report on February 19, 2020. The 1999 Master Plan contained a variety of master plan elements. A seven-page Land Use Plan Element was included in the document.

The purpose of this document is to amend the 1999 Land Use Plan Element to reflect the recently adopted 2019 Housing Element & Fair Share Plan, which was the result of litigation, to reflect the recommendations contained in the 2020 Master Plan & Development Regulations Reexamination, and to address a zoning discrepancy along Walnut and Chestnut Street.

3. RECOMMENDATIONS RELATED TO THE 2019 HOUSING ELEMENT & FAIR SHARE PLAN

In response to the March 10, 2015 Supreme Court decision to strip the Council on Affordable Housing of all its powers and duties, Northvale filed a Declaratory Judgment Action on July 6, 2015. Between 2015 and 2018 the Borough negotiated with Fair Share Housing Center and reached a settlement in early 2018. The Council approved the execution of the Settlement Agreement via Resolution 2018-40 on February 14, 2018. As outlined in the Settlement Agreement, Northvale has a three-part obligation as follows:

- Rehabilitation – 5
- Prior Round Obligation – 86 (36-unit Realistic Development Potential)
- Third Round Obligation – 193 (3-unit Realistic Development Potential)

The Borough has agreed to:

- Create an overlay zone on 21 properties along Paris Avenue. The overlay zone will permit inclusionary multi-family residential development with a maximum density of 30 units per acre. A 15% affordable housing set-aside will be required if the residential units are rental while a 20% affordable housing set-aside will be required if the residential units are for sale. The overlay zone will also limit impervious coverage to 75% of the lot area and building height to three stories and 40 feet.
- Create an overlay zone on a portion of the Light Industrial Zone. The overlay zone will permit inclusionary residential development at a density of 14 units per acre. A 15% affordable housing set-aside will be required when the affordable units are rental, and a 20% affordable housing set-aside will be required when the affordable units are for-sale. The overlay zone will also limit building height to three stories.
- Adopt an Ordinance requiring a mandatory affordable housing set-aside for all new residential developments of five or more units, at a density at or above six units per acre, that occur as a result of a site plan or subdivision approval, use or density variance, new rehabilitation or redevelopment plan. The set-aside will be a minimum of 15% for rental developments and 20% for for-sale developments. Additionally, at least 50% of the units in each development must be affordable to low income households, including 13% affordable to very-low income households.

The Housing Element & Fair Share Plan was adopted by the Planning Board on August 7, 2019 and endorsed by the Council on August 14, 2019. Following the adoption of the Housing Element & Fair Share Plan three ordinances were adopted to implement the recommendations:

- Ordinance #1003-2019 created the Paris Avenue Inclusionary Overlay District on Block 909, Lots 1 through 7, 23, and 24; Block 910, Lots 1 through 3; Block 911, Lots 1, 2, 3, 11, 12, and 13; Block 912, Lot 1; and Block 914, Lots 1 and 2. The Overlay District conditionally permits multi-family dwelling unit buildings subject to several conditions. Key conditions include:

 - Minimum lot area of 22,000 square feet.
 - Maximum density of 30 units to the acre.
 - Parking for the residential units shall be in accordance with the Residential Site Improvement Standards.
 - A minimum of 15% of the residential units shall be reserved for affordable households if the tenure is rental. A minimum of 20% of the units shall be reserved for affordable households if the tenure is sale.

- Ordinance #1006-2019 amended Chapter 200 of the Code to establish a Borough-wide set-aside requirement. The Ordinance indicates that any property in the Borough of Northvale that receives a subdivision or site plan approval, zoning change, density variance, use variance or approval of a redevelopment or rehabilitation plan to permit multi-family residential development at six units or more per acre, which multi-family residential development will yield five or more new dwelling units, shall provide a minimum affordable housing set-aside of 15% if the affordable units will be for rent or 20% set-aside if the affordable units will be for sale. The requirement does not apply to residential development on sites that are zoned for inclusionary residential development as part of the Borough's Housing Element and Fair Share Plan, which are subject to the affordable housing set-aside requirements set forth in the applicable zoning. The Ordinance does not, and shall not be construed to, grant any property owner or developer the right to any rezoning, variance or other relief, nor does this requirement establish any obligation on the part of the Borough of Northvale to grant any such rezoning, variance or other relief.

- Ordinance #1007-2019 created the Residential Multi-family Inclusionary Overlay District on the following block and lots:

 - Block 302 Lots 1, 2, 3, 4, 5 and 6
 - Block 602 Lots 1, 3 and 5
 - Block 603 Lots 1, 3, 4 and 5
 - Block 608 Lots 1, 2, 3 and 4
 - Block 915 Lots 3 and 5
 - Block 1007 Lot 1
 - Block 1011 Lots 1, 2, 3, 4, 5, 6, 7, 24, 25, 27, 28 and 29
 - Block 1101 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14
 - Block 1102 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12

The Overlay District conditionally permits multi-family dwelling unit buildings subject to several conditions. Key conditions include:

- Minimum lot area of 3 acres.
- Maximum building height of 40 feet and 3 stories.
- Maximum density of 14 units per acre.

- A minimum of 15% of the residential units shall be reserved for affordable households if the tenure is rental. A minimum of 20% of the units shall be reserved for affordable households if the tenure is sale.

Following the adoption of the ordinances, the Zoning Map was amended to reflect the two new overlay districts. The Paris Avenue Inclusionary Overlay District is delineated by orange stripes and the Residential Multi-family Inclusionary Overlay District is delineated by brown stripes. See page 6 for a copy of the newly adopted Zoning Map.

Therefore, as a result of the 2019 Housing Element & Fair Share Plan, Ordinances 1003-2019, 1006-2019, and 1007-2019, and the updated Zoning Map, the Borough's Land Use Element is hereby amended to reflect and recognize the new conditionally-permitted use of multi-family housing within these two areas of the Borough, which are outlined on the maps on pages 6 and 7.

4. RECOMMENDATIONS RELATED TO THE 2020 MASTER PLAN & DEVELOPMENT REGULATIONS REEXAMINATION










The Borough adopted a 2020 Master Plan & Development Regulations Reexamination (hereinafter "2020 Reexamination") report on February 19, 2020. The report contains several recommendations that affect the Land Use Plan Element. These recommendations are divided into two categories – goals and objectives and zoning regulation review.

GOALS AND OBJECTIVES

The Master Plan Reexamination Sub-committee reviewed the 1999 goals as part of the 2020 Reexamination process and recommended the following goals to guide the Master Plan moving forward:

1. Uphold the purposes and intent of the New Jersey Municipal Land Use Law.
2. Preserve the Borough's existing single-family detached residential character within the R 12.5 and R 7.5 Districts.
3. Protect environmentally sensitive areas within the Borough through the use of creative design techniques.
4. Maintain and enhance the vitality of the Borough's business districts.
5. Provide for economic development that will help maintain the Borough's tax base by encouraging high-quality commercial and office/research development in the Borough's non-residential zones.
6. Maintain and enhance the Borough's circulation system by identifying the need for improvements to major roads and intersections, preparing for the possible conversion of the railroad right-of-way to a pedestrian trail along the Northern Branch of the Erie Railroad, and increasing non-motorized transportation opportunities.
7. Identify active and passive recreational areas within the Borough and determine necessary improvements and expansion of these areas.


Legend

-  Municipal Border
-  Parcels
-  Paris Avenue Overlay Area
-  Water
-  Utility Easement
-  Wetlands w/ 50' Buffer
-  Steep Slopes (15% or greater)
-  C1 Water 300' Buffer
-  FEMA Special Flood Hazard Zone



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
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 1 inch = 160 feet

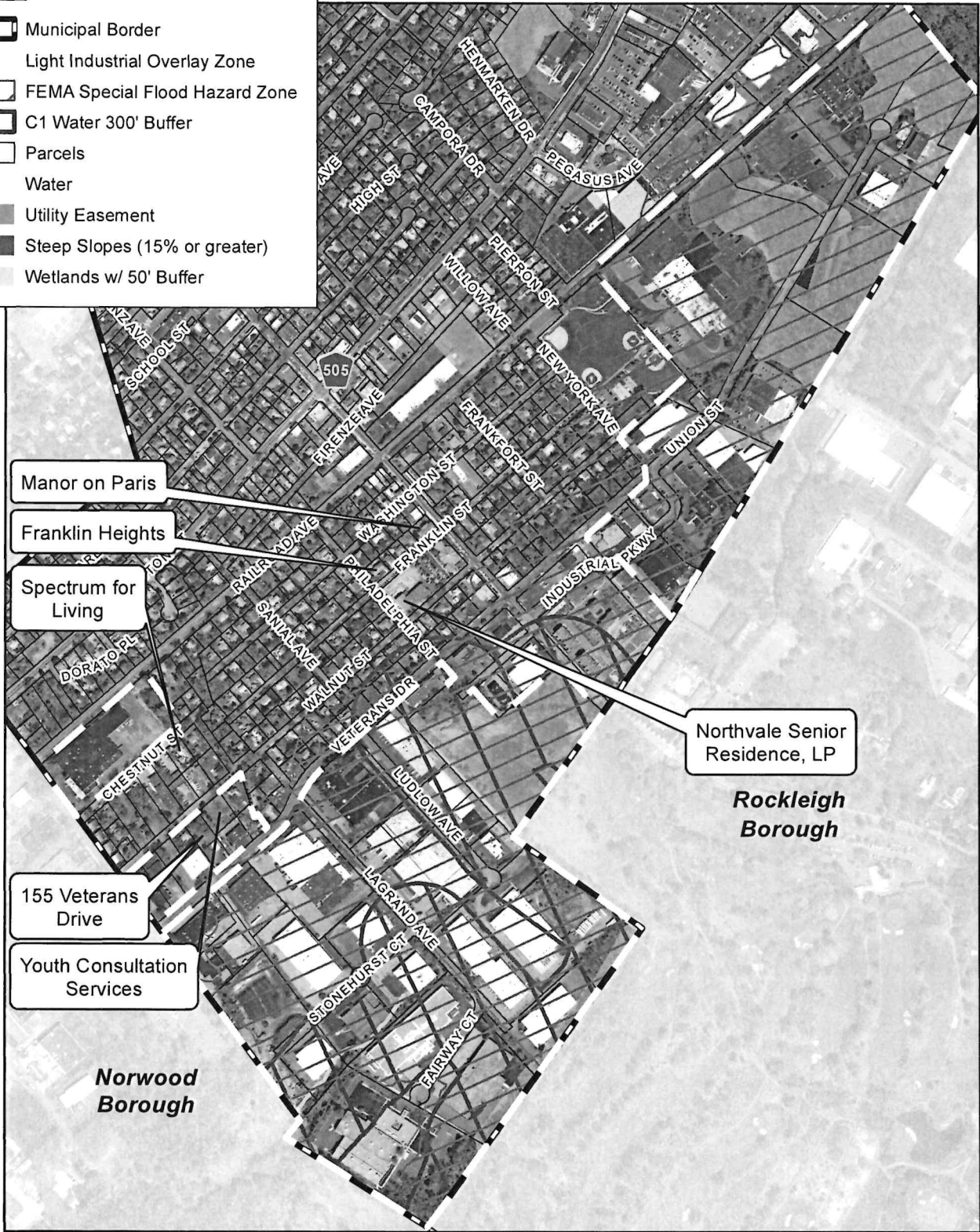
PARIS AVENUE OVERLAY AREA
 BLOCK 909, LOTS 1, 2, 3, 4, 5, 6, 7, 23 & 24
 BLOCK 910, LOTS 1, 2 & 3
 BLOCK 911, LOTS 1, 2, 3, 11, 12 & 13; BLOCK 912, LOT 1
 BLOCK 914, LOTS 1 & 2
BOROUGH OF NORTHVALE
BERGEN COUNTY, NEW JERSEY



APRIL 2019


Legend

-  Municipal Border
-  Light Industrial Overlay Zone
-  FEMA Special Flood Hazard Zone
-  C1 Water 300' Buffer
-  Parcels
-  Water
-  Utility Easement
-  Steep Slopes (15% or greater)
-  Wetlands w/ 50' Buffer



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**LIGHT INDUSTRIAL
 OVERLAY ZONE**
 BOROUGH OF NORTHVALE
 BERGEN COUNTY, NEW JERSEY



Additionally, there were six Land Use Plan objectives detailed in the 1999 Master Plan. The Planning Board sought to amend these objectives and enhance them as noted below:

1. To preserve the Borough's existing single-family detached residential character within the R 12.5 and R 7.5 Districts.
2. To most reasonably provide for the concentration of active land uses in optimum development areas.
3. To dedicate sufficient area for the provision of open space and recreational needs, such as the creation of pocket parks and/or community gardens.
4. To encourage those development patterns that will optimize the cost/benefit and cost/revenue impacts to the Borough.
5. Strengthen the Borough's Industrial Districts by expanding the list of permitted uses and amending the parking requirements.

The Borough's Land Use Plan Element shall be amended to reflect the seven general goals noted on page 5 and the five land use goals identified above.

ZONING REGULATION REVIEW

The Master Plan Reexamination Sub-committee as part of the 2020 Reexamination reviewed Chapter 200, entitled "Zoning". The Sub-committee found that the regulations and standards contained in Chapter 200 are, except for the items outlined below, adequate and suitable. However, Chapter 200 has several missing definitions, some inconsistencies, and vague requirements. The following recommendations are made regarding Chapter 200.

200-4 DEFINITIONS

1. Child care center is not defined but is mandated as a permitted use by the MLUL as a permitted use. The definition should be added to Chapter 200.
2. Exercise studio is not defined, but several exercise studios exist in the Borough – Club Pilates, kickboxing, crossfit, etc. A definition of exercise facility should be added to Chapter 200.
3. Family daycare is not defined but is mandated as a permitted use by the MLUL as a permitted use. The definition should be added to Chapter 200. A family daycare is defined as "the private residence of a family day care provider which is register as a family day care home pursuant to the Family Day Care Provider Registration Act".
4. Personal service is not defined in the code, but several personal services uses can be found in the Borough – salon, massage, nails, etc. A definition of personal service should be added to Chapter 200.
5. Store is currently defined in the code, but retail is not. However, the term retail is used when listing the permitted uses. The definition of store should be amended to reflect retail, or a definition of retail should be added to eliminate this discrepancy.
6. The code currently defines "service station", which could be a retail gas station and a service repair facility. The Sub-committee recommends revising this definition to create separate definitions for retail gas stations and service repair facilities as the historical combination of these two uses is no longer customary.

7. Chapter 72 of the Code permits dog kennels but does not reference the use in Chapter 200. The Sub-committee recommends a definition be created. The definition could be "A commercial establishment in which five or more dogs are housed, boarded, or sold, all for a fee or compensation".

200-5 ENUMERATION OF DISTRICTS

1. The Zoning Map lists the R 7.5 Overlay and the LI Overlay, but neither of these overlay zones are listed in this section of the Zoning Ordinance. The text should be amended to denote these two overlay zones.
2. Several years ago, the Council adopted a Walnut Street Redevelopment Plan Zone, which was the result of a Redevelopment Designation and Redevelopment plan. The zone should be added alphabetically to this section.

200-6 R 12.5 AND R 7.5 ZONES

1. Under the MLUL a family daycare and a community residence for persons with developmental disabilities are mandatory permitted uses within a residential zone. Section 200-6 should be amended to permit family daycare and community residence for persons with developmental disabilities as principal uses in the R 12.5 and R 7.5 District.

200-7 COMMERCIAL ZONES

1. Laundromat is defined in Section 200-4, but then never listed as a permitted use. The Sub-committee recommends permitting this use in the C-1 and C-2 Zones.
2. Personal service, child care center, cleaner, exercise studio, and medical uses (i.e. physical therapy) should be added as permitted uses within the C-1 and C-2 Zones.
3. Restaurants with drive-through facilities should be prohibited in the C-1 (downtown) Zone as they will ruin the quaint, walkable character. Restaurants with drive-through facilities may be permitted within the C-2 Zone.
4. Service stations should be removed as a conditional use in the C-1 (downtown) Zone as they will disrupt the quaint, walkable character. Instead, they should be prohibited in the C-1 Zone.
5. Residential uses are permitted in the C-1 (downtown) Zone, but the code doesn't specify the type of residential use. It is the Sub-committee's belief that single-family detached homes were envisioned, therefore, the code should be amended to clearly state the type of residential use.
6. This section permits service stations as a conditional use. One of the conditions is that a service station must be more than 1,500 feet from a school, place of assembly, library, playground or another service station. In Exxon Co., U.S.A. v. Livingston Tp. In Essex County the court invalidated a similar ordinance that prohibited one gas station within 500 feet of another station or of a public building. The code should be revised to eliminate this condition.

200-7.1 C-3 COMMERCIAL/LIGHT INDUSTRIAL ZONE

1. The C-3 District encompasses four lots within the Borough. The first lot is being redeveloped with a self-storage facility. The second lot is home to Northvale Classic Diner. The last two lots are industrial uses. The C-3 Zone indicates conditional uses are the same as the C-2 permitted principal uses. However, the conditions for the uses are not outlined. Note that one of the uses is a restaurant. The missing conditions need to be drafted or the section needs to be reworded. The Sub-committee recommends permitting restaurants as-of-right in this district.

200-7.2 PROFESSIONAL OFFICE ZONE

1. Exercise studios should be added as a permitted use as there appear to be existing instructional uses within the building at 160 Paris Avenue.
2. Personal services are recommended to be added to the list of permitted uses as they are a nice compliment to the professional offices in the district.
3. This section should be clarified to state that **detached** single-family residential uses are permitted.
4. The required buffer height should be increased from four feet to six feet in order to actually provide screening.

200-8 LI AND LI-1 LIGHT INDUSTRIAL ZONES

1. The Sub-committee recommends the addition of commercial kitchen and food/beverage production as a permitted use. Attached to these uses could be performance standards related to odors.
2. Chapter 72 of the Borough Code is entitled "Animals". This Chapter permits dog kennels generally and only limits that the use be more than 125 feet from any adjacent dwelling. The Chapter fails to note any zone in particular. The Sub-committee believes this should be remedied by first defining dog kennel in Chapter 200 and then permitting dog kennels in the LI and LI-1 Zones only. The Sub-committee recommends retaining the separation requirement, but instead measuring the 125 feet from the property line of the dog kennel to the property line of any adjacent residential use.

200-9 PROVISIONS APPLICABLE TO ALL ZONES

1. This section of the code prohibits drive-in facilities in the entire Borough. Drive-in facility is defined as an establishment that serves a patron while seated in a car. However, there is a McDonalds, Dunkin Donuts, Starbucks, Chase Bank, and CVS with a drive-in facility. The Sub-committee recommends clarifying Chapter 200 and permitting drive-in facilities in the C-2 Zone.

200-10 GENERAL DESIGN STANDARDS

1. Home occupation is listed with "design standards" that follow. However, these items read like conditions for a conditional use not design standards. The Sub-committee recommends clarifying Chapter 200 to indicate home occupation is a conditional use.
2. Restaurants are permitted in this section but must be at least 1,000 feet from another restaurant. In Exxon Co., U.S.A. v. Livingston Tp. in Essex County the court invalidated a similar ordinance that prohibited one gas station within 500 feet of another station or of a public building. The code should be revised to eliminate this condition.

3. There is a section guiding restaurants, which has requirements that read more like conditions. The Sub-committee recommends that this section be clarified to indicate that these are design standards.
4. Chapter 200 does not contain a general requirement that dumpsters should be screened. The Sub-committee recommends that standards should be added to require dumpsters to be located in the side or rear yard and screened on three sides with either a fence or evergreens.
5. Chapter 200 does not contain any requirements for parking lot landscaping. The result of this is large expanses of asphalt parking lots. The Sub-committee recommends that this section be amended to add a requirement for any parking lot with 20 or more parking spaces to provide one landscaped island for every 20 parking spaces. Half of said islands shall contain a shade tree, the remainder shall contain shrubbery.

200-13 OFF-STREET PARKING

1. Off-street parking areas adjacent to a residential zone are required to be screened by a buffer strip, but no standards are listed. The Sub-committee recommends a requirement of a six-foot-tall fence or evergreens.
2. All commercial and office uses in any zone are required to provide one parking space for every 300 square feet of floor area or any part thereof. A medical office and restaurant have a much higher demand for parking than a retail establishment or a general office. Separate parking standards should be created for a restaurant and a medical office. Potential ordinance requirements could include:
 - Restaurant – 1 space for every three seats and 1 space for every two employees during the maximum shift
 - Medical office – 1 space for every 200 gross square feet
3. A recent application for a church revealed that there are no parking standards for places of worship. The list of permitted uses should be reviewed, and all permitted uses should have a parking standard or fall into one of the existing general standards. Potential ordinance requirements could include:
 - Places of worship – 1 parking space for every three permanent or fixed seats based on seating capacity. Houses of worship not having permanent or fixed seating shall provide one parking space for each three persons based on the maximum capacity of the facility, which shall be calculated by taking the total square footage of the space and dividing it by the space footage of space allotted to each person in attendance as determined by application of the Fire Department Occupancy Load Code.
 - Personal services – 1 space for every 200 gross square feet
 - Exercise studio – 1 space for every 120 square feet of public area for students/customers
4. All industrial uses in any zone are required to provide one parking space for every 600 square feet of floor area. Depending on the type of operation, this parking requirement is high. The Borough should consider amending this standard to one parking space for every 600 square feet of floor area or one space for every employee during the maximum shift.

200-14 OFF-STREET LOADING

1. The text is written in such a way that a single-family home requires a loading area. This section should be clarified to indicate the specific uses that require a loading area – retail, industrial, etc.

200-16 AFFORDABLE HOUSING COMMUNITY COMMERCIAL DISTRICT

1. This section lists an Affordable Housing Community Commercial District. This zone is not listed in Section 200-5, nor is it on the Zoning Map. The Board recommends the reference to Affordable housing Community Commercial District and its associated standards be deleted from Section 200-16.

200-19 AH-2 AFFORDABLE SENIOR HOUSING DISTRICT

1. Subsection I under this section contains affordable housing regulations. However, several of the requirements do not match the Uniform Housing Affordability Controls. This section should be deleted as the Borough has adopted a Borough-wide Affordable Housing Ordinance that complies with the Uniform Housing Affordability Controls.

200-19.1 PARIS AVENUE INCLUSIONARY OVERLAY DISTRICT

The Paris Avenue Inclusionary Overlay District as adopted as part of a series of ordinances addressing the Borough's Third Round affordable housing obligation. The zone presently permits a variety of accessory uses, but the Sub-committee wishes to amend "tenant amenities including, but not limited to, recreational and fitness facilities, lobbies, leasing and management offices and mail rooms". The Sub-committee would like this rewritten to state, "lobbies and mail rooms".

200-28 PERMITTED SIGNS

1. Ground and freestanding signs are listed as permitted, but not defined in 200-26. These terms need to be defined.

SUBMISSION REQUIREMENTS

Application submission requirements are not located in Chapter 200. Instead Site Plan requirements are in Chapter 159 and Subdivision requirements are located in Chapter 178. The Site Plan submission requirements do not require the submission of architectural plans or building elevations. When reviewing applications, it is imperative that the Board and public are able to understand what is occurring inside the building and how the building will look and function on the outside. Therefore, this document recommends adding the submission of floor plans, building elevations, an exterior materials list, and materials colors as part of any site plan application.

NEW TECHNOLOGIES

There are four new technologies that have emerged since the 2009 Reexamination Report. They include solar, wind, digital signs, and vaping. The following sections address each use.

1. Solar. Chapter 200 makes no mention of solar as a permitted principal or accessory use. If a homeowner wants to install solar panels on their roof this should be a permitted accessory use. The Borough should note that the MLUL lists solar facilities/structures as inherently beneficial uses. The Sub-committee recommends permitting roof-mounted solar panels as an accessory use in all zones. However, if the solar panels are to be installed on a flat roof, the Sub-committee recommends that they be screened by a parapet or other manner of screening.

2. Wind. Chapter 200 makes no mention of wind energy as a permitted principal or accessory use. The Borough should note that the MLUL lists wind energy systems as inherently beneficial uses. While they are recognized as an inherently beneficial use, wind energy systems have the potential for a greater visual impact, therefore, many towns conditionally permit them and cap the height and require photographic simulations to illustrate the visual impact. The Sub-committee has reviewed this matter and agreed that wind turbines should not be permitted within the Borough of Northvale.
3. Digital Signs. Chapter 200 makes no mention of digital signs. Therefore, it is unclear if they are permitted or prohibited. The Sub-committee has reviewed this and determined that digital signs should be permitted, but they should not be allowed to blink, flash, scroll, or the like. The message should be a permanent message, not one that changes every few seconds.
4. Vaping. Vaping and vapor products have arisen as an alternative to smoking in the last few years. Many towns are concerned about this “alternative” and its potential for teens and young adults to become addicted to the product. As a result, some communities have banned the sales of vaping products, electronic smoking devices, etc. This is a topic that the Board should discuss further, but to assist in that discussion, the 2020 Master Plan & Development Regulations Reexamination report provided definitions for Electronic Smoking Device, Liquid Nicotine, Liquid Nicotine, Liquid Nicotine container, Vapor Product, and Vapor Establishment.

SUMMARY

The Land Use Plan Element of the Borough of Northvale is hereby amended to include the above recommendations regarding Chapter 200 “Zoning” as suggested by the Master Plan Reexamination Sub-committee.

5. ZONING DISCREPANCIES

Along Northvale’s southern boundary coincident with Norwood there are a variety of existing uses. Uses include, but are not limited to, single-family homes, religious facilities, storage yards, office buildings, manufacturing facilities, and industrial uses. It is unclear how some uses came into being, but the Borough believes that the zoning along a portion of Chestnut and Walnut Street should be amended to reflect on-the-ground conditions and to protect the existing residential uses.

At the intersection of Chestnut Street and Rockland Avenue sits Cho Dae Community Church on the site of what had been an old industrial building. Cho Dae applied to the Zoning Board in 2011 for use and bulk variances to reuse Block 1007, Lots 1 and 2. Lot 1 is located in the Light Industrial Zone (church), while Lot 2 is in the R 7.5 Zone (parsonage). The Board ultimately granted the requested relief. As shown by the map on page 15, the church has residential uses to the east (across the dormant railroad line), to the north, and to the west. There is also a moving company and storage yard to the west of the church.

The Borough believes it would be prudent to rezone Cho Dae Community Church, specifically, Block 1007, Lot 1 from the Light Industrial (hereinafter “LI”) Zone to the R 7.5, where churches and other houses of worship are permitted as-of-right. This rezoning would reflect the findings of the Zoning Board that the use was not detrimental to the public good or neighborhood. By removing the LI Zone, it would also remove the Residential Multi-family

Inclusionary Overlay Zone that hovers above the majority of the LI Zone. See the map on page 16 for the proposed zoning changes.

The second recommendation is to remove the LI Overlay, which is located between Chestnut and Walnut Street on all or portions of four parcels. These lots are known as Block 1009, Lot 3, 11, 12, and 13. Lot 3 contains a house, Lot 11 is classified commercial according to the tax card, Lot 12 is a storage yard for a construction-related industry, and Lot 13 is a moving company. Roughly half of Lots 12 and 13 are located in the LI Overlay Zone.

As noted above on page 9, the LI Overlay Zone is not mentioned anywhere in Chapter 200. There are no uses assigned to the Overlay, nor are there bulk standards. All four lots are zoned R 7.5 and the Borough seeks to maintain the existing residential status and to protect the surrounding residential neighbors from any intensification of the existing non-residential uses. See the map on page 16 for the proposed zoning changes.

The third recommendation is to amend the zoning for six existing homes located along Walnut Street and Veterans Drive (Block 1011, Lots 4, 6.01, 6.02, 7.01, 7.02, 24). (Note that the GIS parcel data, on the map on page 16, has yet to be updated to reflect the subdivision along Walnut Street that amended Lots 6 and 7.) Presently, these six homes are in the LI Zone. The recommendation is also to amend the zoning on a portion of Lot 5, which is owned by the Borough and is a through lot. The Borough intends to subdivide the lot and sell it. The goal is to maintain the residential character on the Walnut Street half of the property and the non-residential character on the Veterans Drive half of the lot.

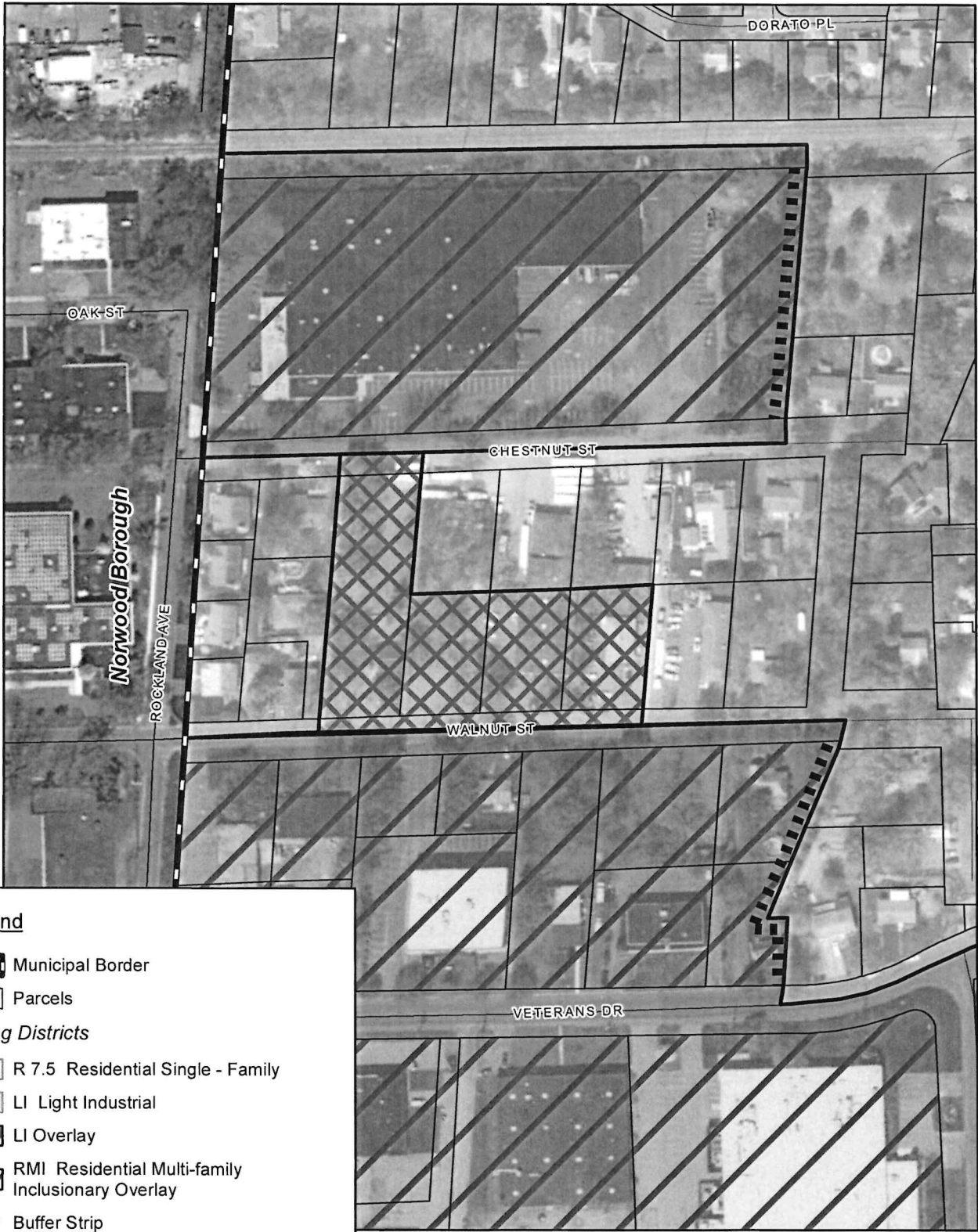
Lots 6.01, 6.02, 7.01, 7.02, and 24 were a part of a multi-lot subdivision in 2014, which triggered use and bulk variances. The Board approved the subdivision and the homes have since been constructed. Furthermore, it should be noted that Lot 4's home was constructed in 1952.

Based on the above facts, the Borough believes the existing on-the-ground residential nature of the lots and the proposed residential use for the Borough's lot should be recognized and the zoning amended from LI Zone to R 7.5. This makes logical sense, as the homes to the immediate north and west of these properties are zoned R 7.5 today. See the map on page 16 for the proposed zoning changes.

Finally, it should be noted that the changes recommended in this section modify the map on page 7 (which was in the Housing Plan) with regard to the location of the Residential Multi-family Inclusionary Overlay District.

6. CONCLUSION

The two adopted conditionally-permitted overlay zones will create new housing opportunities within the Borough. Future developments within these areas can provide affordable housing in keeping with the Settlement Agreement and Northvale's constitutional obligation to provide affordable housing. The updated goals and objectives will serve to guide the Planning Board as they evaluate applications and recommend policies to the Council. Furthermore, the suggested changes and corrections to Chapter 200, Zoning, will clarify the code, eliminate inconsistencies, and enhance the overall regulations. The recommended zoning changes will align existing on-the-ground conditions with the proper zoning and reflect use variances granted by the Zoning Board. In conclusion, these amendments update and refresh the eleven-year old Land Use Plan Element and align it with the recently adopted Housing Element & Fair Share Plan and actions taken by the Zoning Board.



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Legend

Municipal Border

Parcels

Zoning Districts

R 7.5 Residential Single - Family

LI Light Industrial

LI Overlay

RMI Residential Multi-family Inclusionary Overlay

Buffer Strip



0 90 180

 Feet
 1 inch = 180 feet







EXISTING ZONING
 BOROUGH OF NORTHVALE
 BERGEN COUNTY, NEW JERSEY

MASER
 CONSULTING P.C.
 APRIL 2020



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Legend

-  Municipal Border
-  Parcels
- Existing Zoning Districts**
-  R 7.5 Residential Single-Family
-  LI Light Industrial
-  RMI Residential Multi-Family Inclusionary Overlay
- Proposed Zoning District Changes**
-  R 7.5 Residential Single-Family
-  Remove LI Overlay
-  Remove RMI Residential Multi-Family Inclusionary Overlay
-  Remove Buffer Strip



0 90 180
 Feet
 1 inch = 180 feet

PROPOSED ZONING CHANGES

BOROUGH OF NORTHVALE
 BERGEN COUNTY, NEW JERSEY



APRIL 2020