An Amendment to the Borough of Hillsdale's

Master Plan Reexamination Report

Borough of Hillsdale, Bergen County, New Jersey

April 2012

Adopted May 2, 2012

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Introduction

Preparation and adoption of a Master Plan is a function of the Planning Board as described by the Municipal Land Use Law (MLUL). The MLUL also requires that the governing body provide for a general reexamination of its master plan and development regulations by the Planning Board every ten years. The Hillsdale Master Plan was adopted in December 2003 and has been amended as follows:

- May 2006: Amendment on age-restricted housing.
- May 2007: Amendment of Housing Element/Fair Share Plan pursuant to NJ Council on Affordable Housing (COAH) Round 3 rules.
- July 2008: Amendment to add the Stormwater Management Plan.
- November 2008: Amendment to add the Housing Element/Fair Share Plan pursuant to new COAH Round 3 rules.

On April 27, 2010, the Planning Board adopted a Master Plan Reexamination Report that fulfilled the periodic examination requirements contained in N.J.S.A. 40:55D-89.

The Hillsdale Planning Board now is amending the 2010 Reexamination Report as described herein.

Components of the Reexamination Report

The requirements of the Reexamination Report are contained in N.J.S.A. 40:55D-89. The Reexamination Report must address the following:

1. *The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*
2. *The extent to which such problems and objectives have been reduced or have increased subsequent to such date.*
3. *The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.*
4. *The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*

5. *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 al.) into the land use plan element of the municipal master plan, and recommend changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*

This amendment to the 2010 Reexamination Report addresses the following:

1. The text, mapping, analyses and recommendations pertaining to (a) adding a mixed use designation within specific area of the Commercial Zone; and (b) expanding the Commercial Zone either with or without a mixed use designation in specific areas as contained in the 2010 Reexamination Report. This amendment concludes that the addition of mixed use designation and expansion of the Commercial Zone as recommended for consideration within the Borough's master planning documents is no longer desired or recommended.

2. Conditional Use Standards for Public Utilities.

The remainder of the text describes the Amendments to the Reexamination Report, in the format and order of the components of the Reexamination Report, pursuant to the MLUL.

The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

Mixed Use/Commercial Expansion

The 2006 Master Plan Amendment stated that there are properties within the Commercial Zones that are developed with mixed uses (permitted commercial use on the main level with a residential apartment above). The amendment recommended that the Borough undertake an analysis of these areas to address mixed use within the Commercial Zone.

Map "A" indicates the existing uses within the Commercial Zones at the time of the 2010 Reexamination Report, including mixed use properties. All data is from the Borough Fire Prevention Bureau.

Conditional Use Standards

The 2003 Master Plan recommended various areas of the Land Use ordinances to be revised and/or clarified.

The extent to which such problems and objectives have been reduced or have increased subsequent to such date.

Mixed Use/Commercial Expansion

The Borough has approved mixed use applications, and one completely residential application in the Commercial Zone since the 2006 Master Plan Amendment.

Since the adoption of the 2010 Reexamination Report, the Planning Board has determined that it no longer recommends both a mixed use designation within the Commercial Zone and expansion of the mixed use and Commercial Zones into adjacent Residential Zones.

Conditional Use Standards

As identified in the 2010 Reexamination Report, updating and clarifying ordinances continues to be an important objective. The 2010 Report goes on to recommend a thorough review of the entire Land Use Ordinance, especially the definition section.

The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.

Mixed Use/Commercial Expansion

Item #4 on Page 10 of the 2010 Reexamination Report states that, "Strengthening the Borough's commercial base is recognized as a priority." The text of the 2010 Reexamination Report continues to recommend the recognition and expansion of mixed use development (residential and commercial) in specific areas.

There has been a significant change in the assumptions and policies forming the recommendation. Specifically, the Planning Board cites the following issues relative to the issues of mixed use designation and expansion of the Commercial Zones:

- Possible traffic congestion.
- Negative impact on community facilities and educational facilities
- Detriment to existing residential dwellings located next to or near potential mixed use or commercial sites.

- Policy objective to have the Commercial Zones developed with commercial uses rather than a mix of commercial and residential uses.

- Policy objective to maintain low residential density throughout the Borough, with the exception of the inclusionary and/or affordable housing sites included in the Borough's Fair Share Plan.

- Concern over removal of existing buildings within the Commercial Zone and replacement with new mixed use buildings.

Due to the above changes in policy and objectives, Comment #4 on Page 10 of the 2010 Reexamination Report shall be replaced with, "The Borough recognizes its strong commercial base and existing development patterns within the Commercial Zones."

Conditional Use Standards

The Borough has revised some items in the Land Use Ordinance since the 2003 Master Plan. Most recently, the Borough has proposed to revise the required Conditional Use standards for Public Utilities. The Borough recognized that the standards needed to be updated and revised for clarity and thoroughness to ensure the general welfare of its residents and businesses. This represents an important step in the review and clarification of Borough Ordinances.

There are no significant changes in the assumptions, policies or objectives of the master planning documents with respect to Land Use Ordinance revisions. The proposed ordinance on Conditional Use standards for Public Utilities is consistent with the Borough's master planning efforts to date. Nevertheless, endorsement of the ordinance is mentioned and included in this amendment due to the importance and relevance of the ordinance revisions and content.

The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

A new Master Plan is not needed at this time.

Mixed Use/Commercial Expansion

- The specific changes recommended as part of this Amendment to the 2010 Reexamination Report are to remove all recommendation for mixed use designation and/or expansion of the Commercial Zone both in text and in corresponding mapping from the 2010 Reexamination Report. Specific amendments to the Reexamination Report are as follows:

1. The removal of the recommendation to legitimize the existing mixed use environment and to create a new zone that permits mixed use as well as commercial uses.

2. Removal of the recommendation to create a new zone district that permits both commercial uses and mixed uses for the portion of the east side of Broadway, between Cross Street and Harrington Street.

3. Removal of the recommended possible expansion of mixed use designation from the east side of Patterson Street until the rail line, between Orchard Street and Hillsdale Ave.

4. Removal of the recommended possible expansion of mixed use designation for the north side of Orchard Street, between Valley Street and Patterson Street. Also, removal of the recommended Commercial Zone designation for Block 1206, Lots 8 & 9, which are two lots in of this part of Orchard Street presently located in the R-4/Residential Zone. It is recommended the two lots presently located in the R-4 Zone remain in the R-4 Zone.

5. Removal of the recommended possible expansion of mixed use designation for the first two lots on the west side of Patterson Street, south of Orchard Street.

6. Removal of the recommendation for expansion of the Commercial Zone with a mixed use designation on the south side of Hillsdale Ave. between Broadway and Magnolia Ave.

7. The revision of Map 1 from the 2010 Reexamination Report to remove identification of "Proposed Mixed Use/Commercial." The revised map is entitled Map "A" and is attached.

The removal of all recommendations for consideration of mixed use designation and/or expansion of the Commercial Zone (both with and without inclusion of mixed use) throughout the entire Reexamination Report, including but not limited to mapping and the text contained on Pages 10, 12, 13, 15 and 31 of the 2010 Reexamination Report.

Conditional Use Standards

Endorsement of proposed revisions to the Conditional Use standards for Public Utilities and recognition of its merit and consistency with the purposes of zoning.

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 al.) into the land use plan element of the municipal master plan, and recommend changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

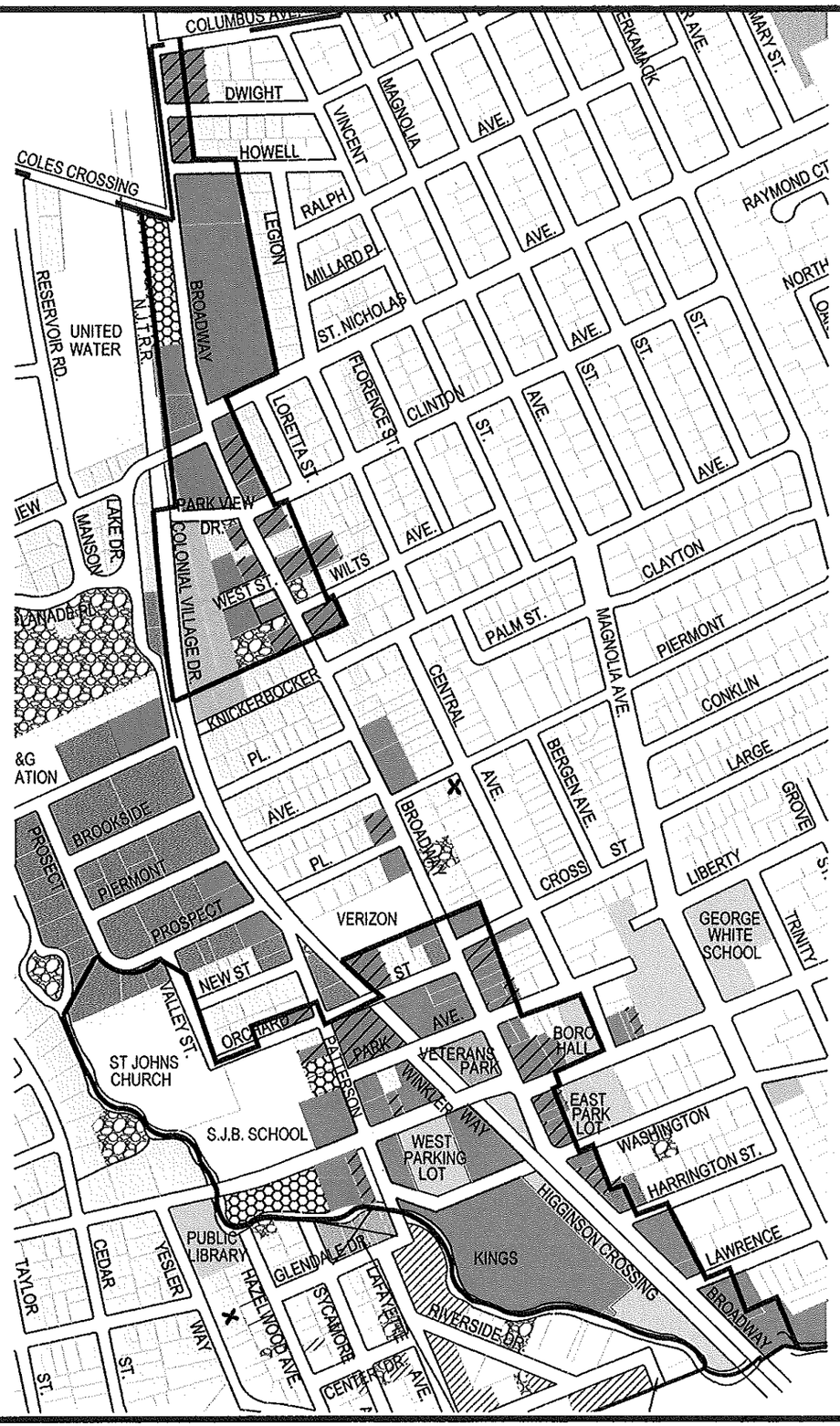
The Borough of Hillsdale does not have any recommendations regarding redevelopment and does not anticipate any formal redevelopment activities at this time.

Conclusion

This amendment to the 2010 Master Plan Reexamination Report addresses the removal of the recommendations for mixed use designation and Commercial Zone expansion and endorses revisions to certain Conditional Use Standards. No other revisions are proposed to the Borough's master planning documents at this time.

LEGEND

- Single Family Residential
- Two Family Residential
- Multi Family Residential
- Commercial
- Industrial
- Public Parks & Open Space
- Public Property
- Quasi Public
- Vacant - Privately Owned
- Vacant - Publicly Owned
- Mixed Use
- Approved or Proposed Inclusionary Zone (COAH)
- Automotive Repair / Gas Station
- Existing Commercial Zone



MAP "A"
EXISTING LAND USE IN COMMERCIAL ZONES & SURROUNDING AREAS

2012 MASTER PLAN REEXAMINATION REPORT AMENDMENT

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April 2012